

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BOARHEAD FARM AGREEMENT
GROUP,

Plaintiff,

V.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants

Civil Action No. 02-CV-3830

ORDER

AND NOW, this _____ day of _____, 2005, upon

consideration of Motion of Defendant Ashland Inc. to Strike Plaintiff's Untimely and Improper Objections to Ashland's Interrogatories and Document Requests, First Sets, and to Compel More Specific Responses Thereto, and the opposition thereto, it is hereby ORDERED that Defendant's Motion is DENIED.

Legrome D. Davis, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BOARHEAD FARM AGREEMENT
GROUP,

Plaintiff,

v.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants

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Civil Action No. 02-CV-3830

**PLAINTIFF BOARHEAD FARM AGREEMENT GROUP'S MEMORANDUM
OF LAW IN OPPOSITION TO THE MOTION OF DEFENDANT ASHLAND INC.
TO STRIKE PLAINTIFF'S UNTIMELY AND IMPROPER OBJECTIONS TO
ASHLAND'S INTERROGATORIES AND DOCUMENT REQUESTS,
FIRST SETS, AND TO COMPEL MORE SPECIFIC RESPONSES THERETO**

INTRODUCTION

Plaintiff Boarhead Farm Agreement Group ("Agreement Group") respectfully submits this Memorandum in opposition to Defendant Ashland Chemical Company's ("Ashland") Motion of Defendant Ashland Inc. To Strike Plaintiff's Untimely and Improper Objections to Ashland's Interrogatories and Document Requests, First Sets, and to Compel More Specific Responses Thereto ("Motion"). The Motion should be denied primarily because the Agreement Group properly objected to discovery requests that are grossly overbroad and/or constitute premature and improper contention interrogatories, because the discovery requests seek documents and information not created by or in the sole knowledge of the Agreement

Group but created instead by or in the knowledge of Ashland itself, and because the Agreement Group otherwise provided full and complete answers to Ashland's discovery requests.¹

BACKGROUND

This case arises out of the Boarhead Farms Superfund Site in Bucks County, Pennsylvania ("the Site"). From approximately 1969 to 1977, the Site was used as a dumping ground for the disposal of industrial wastes containing hazardous substances within the meaning of Section 101(14) of the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9601(14) ("the Waste Materials"). During this time period, the Site was owned by Boarhead Corporation and was used by DeRewal Chemical Company, Inc. ("DCC"). DCC hauled the Waste Materials from industrial entities and disposed of those materials at the Site.

In 1989 the United States Environmental Protection Agency ("EPA") placed the Site on the National Priorities List ("NPL"), 40 C.F.R. Part 300, Appendix B, and subsequently implemented removal and remedial actions at the Site. In the course of its assessment of contamination at the Site, EPA identified dozens of hazardous substances on the Site. Generally, EPA conducts "removal" actions when there is an immediate threat of release of hazardous substances into the environment. "Remedial" actions are those actions consistent with a permanent remedy. Where remedial actions are required, EPA typically conducts one or more

¹ In the Motion, Ashland comments that the Agreement Group's response to its discovery requests were served late. Although Plaintiff declined to note it in its own Motion to Compel Ashland's responses to Plaintiff's discovery requests, nearly all of the defendants' responses to Plaintiff's discovery in this case were served late, including the response of Ashland itself. The Agreement Group served responses simultaneously to various sets of discovery requests propounded by many defendants because many of the requests were duplicative, overlapping, or otherwise redundant. The Agreement Group's cover letter to its responses is attached hereto marked Exhibit "A". Appropriate verifications to the responses to interrogatories have been recently served.

Remedial Investigation and Feasibility Studies (“RI/FS”), which investigate possible hazardous substances at a facility, determine whether any of those substances pose a threat to human health or the environment, and consider possible remedial approaches to whatever substances pose such a threat. Removal actions and remedial actions constitute the two types of “response” actions. EPA’s remedy selection decision is contained within a Record of Decision (“ROD”) wherein EPA documents its conclusions. EPA establishes an “Administrative Record” consisting of documents gathered by it in investigating the historic uses of a site as well as EPA’s technical site investigation, and upon which it bases its selection of a response action or actions. The Administrative Record is available to the public. 42 U.S.C. § 9613(k)(1). EPA completed the RI/FS for the Site in July, 1997. The ROD was issued on or about November 18, 1998. The Administrative Record for the Boarhead Farms Site has been available at EPA Region III’s offices in Philadelphia for years. The Agreement Group long ago obtained what it believes is a complete copy of the Administrative Record (up until the time the copy was obtained); Ashland has been and remains free to do so as well.

The Agreement Group entered into several Administrative Orders on Consent and Consent Decrees in 2000 and 2001 whereby it agreed to conduct at its cost and subject to EPA’s oversight and approval the response actions selected by EPA in the ROD, and to reimburse EPA for certain of EPA’s claimed removal action costs. The Agreement Group has brought the present contribution action against Defendants for costs it has incurred and will incur in connection with the cleanup of the Site.

Ashland owned and operated a chemical plant in Great Meadows, New Jersey (“the Great Meadows Facility”) from 1966 to 1978. The Great Meadows Facility was a “fine” chemical manufacturing plant, specializing in synthetic organic chemicals and hair dye

intermediates which it produced in small quantities on a custom-made basis. During the time Ashland owned and operated the Great Meadows Facility, it generated several different hazardous waste streams from its manufacturing processes. In 1978, Ashland sold the Great Meadows Facility to Southland Corporation.

In 1976, Defendant Advanced Environmental Technology Corporation ("AETC") entered into an agreement with Ashland wherein AETC agreed to furnish and pay for all material, labor, power, equipment, transportation and all other items necessary to remove and dispose of some of Ashland's hazardous waste streams, including a blend of sulfuric and nitric acids. Separately, AETC entered into an agreement with DCC wherein DCC agreed to haul and dispose of the Ashland waste streams. Consistent with these two agreements, and as established by both business records and deposition testimony, Ashland consigned its waste streams to AETC and paid AETC for removing those waste streams, and AETC paid DCC for hauling and disposing of those waste streams. DCC removed the Ashland waste streams from the Great Meadows Facility beginning in August, 1976 and continuing through early 1977 when DCC's waste disposal business ended.

Representatives of Ashland and AETC met with Manfred DeRewal of DCC at the Site in September of 1976, at which meeting Mr. DeRewal stated that DCC was neutralizing Ashland's acid wastes in Philadelphia and then dumping those wastes down the sewer, and that DCC planned on disposing of the acid wastes there at the Boarhead Site. Manfred DeRewal also stated that he had been fined on several occasions by the Pennsylvania Department of Environmental Resources (now the Department of Environmental Protection) for pollution. Ashland nevertheless continued to use AETC to remove its waste streams and AETC continued

to use DCC to haul and dispose of those wastes. DCC in fact disposed of Ashland wastes at the Boarhead Site.²

Ashland has in its possession and has produced in this action documents establishing the above facts. Indeed, most of those documents are Ashland's own business records. Ashland produced similar documents in the 1990s to EPA in response to EPA Requests for Information pursuant to CERCLA, as did AETC and Southland Corporation. All of these documents have been in the Document Repository established pursuant to the Case Management Order ("CMO") entered herein in February 2003.

In contrast, the only documents and information in the possession of the Agreement Group with respect to Ashland are: documents gathered by the Agreement Group from the EPA (including the Administrative Record) and other governmental sources; documents produced by AETC, Ashland and Southland Corporation either to EPA or in this litigation; and

² Ashland feels compelled to spend over two pages protesting its innocence, even though whatever factual determinations this Court makes at trial in that regard are irrelevant to this discovery motion. Ashland Brief at 2-5. It does so through misstatements and mischaracterizations of facts adduced in discovery. For example, faced with a contemporaneous memorandum drafted by its plant manager, Arthur Curley, in which Mr. Curley memorializes the September 1976 meeting *at the Boarhead Site* in which Mr. DeRewal told Mr. Curley that he intended to set up a neutralization and disposal operation *there at the Site* for Ashland's wastes, as well as the deposition transcript of Mr. Curley wherein it is clear that he otherwise has no personal knowledge of where DCC actually disposed of Ashland's wastes (Mr. Curley did not, after all, follow any of the DCC trucks when they left the Great Meadows facility to see where they went), Ashland nevertheless states that Mr. Curley "through [his] personal observations and otherwise, corroborated that Ashland's wastes, to [his] knowledge, went only to DCC's Wisconsin Facility." Ashland Brief at 4. Three former DCC drivers testified that they picked up waste at Ashland, took it back to the Boarhead Site, and disposed of it there. Where Mr. Curley or anyone else "thought" DCC was disposing of the waste is irrelevant. By way of further example, Ashland (and AETC) each received General Notice Letters from EPA in May and/or July 1989 in which Ashland was advised that EPA believed that Ashland generated hazardous substances that were transported to and disposed of at the Site. Ashland's suggestion that EPA concluded that it was "innocent" is thus incorrect. Ashland Brief at 3.

the testimony of witnesses taken herein. The Agreement Group consists solely of industrial companies whose waste was allegedly disposed of at the Site; those companies have no personal or special knowledge about DCC's historic operations, about Ashland's dealings with DCC, or about EPA's conduct of removal actions at the Site.

The initial Case Management Order herein created a Document Repository available to all parties. CMO at 3. Plaintiff was required to, and did, place in the Repository certain categories of documents in the possession, custody, or control of Plaintiff or of its members, including, *inter alia*, "any other non-privileged documents that refer to, relate to, or reflect upon the liability of any Defendant in connection with the Site." CMO at 4. The factual bases of Plaintiff's case against Ashland are contained in the documents pertaining to Ashland that are present in the Document Repository. The CMO also required the Agreement Group to place into the Repository "documents signed or created by EPA or PADEP, or submitted by or on behalf of Plaintiff or its members to either of those agencies, relating to investigations of the Site or the selection or implementation of response actions at the Site." CMO at 4.

The Agreement Group has also placed in the Repository full and complete documentary evidence of the monies it has paid to EPA to reimburse EPA for EPA's past response costs and for EPA's continued response costs. It has also produced to the defendants and placed in the Repository documents fully explaining each and every response cost it has incurred in implementing the remedy selected in the ROD. Specifically, the Agreement Group has produced spreadsheets showing all contributions made by the Agreement Group members to the Agreement Group trust accounts and each disbursement from those trust accounts for the payment of response costs. A copy of a September 28, 2004 e-mail from the Agreement Group to the defendants with those spreadsheets attached is attached hereto marked Exhibit "B". The

Agreement Group has also produced spreadsheets prepared by the Agreement Group's primary technical contractor detailing each and every invoice from the Agreement Group's response action contractors, including the work done relating to each invoice. Copies of two September 15, 2004 e-mails from the Agreement Group to the defendants with those spreadsheets attached is attached hereto marked Exhibit "C". Copies of each of those invoices has been placed in the Repository. Ashland has been free to visit the Document Repository and has had access to whatever documents in the Repository it has wished to see.

Moreover, the Defendants have been provided with the necessary resources and means to obtain whatever documents or classes of documents contained in the Document Repository that they wish to access. A paralegal has been charged with overseeing the Document Repository and is available to assist the Defendants in identifying and obtaining documents or categories of documents that any Defendant requests. For example, any Defendant may request that the paralegal make copies of, or otherwise make available, every document in the Document Repository pertaining to itself. In addition, Plaintiff has provided all Defendants with an excel spreadsheet that enables them to perform electronic searches of the documents in the Document Repository using whatever search terms they wish. Thus, Ashland's claim in its Motion that it cannot readily locate the documents to which Plaintiff refers Ashland in response to certain of Ashland's discovery requests is disingenuous.³ Plaintiff has referred Ashland to specific files contained in the Document Repository, including the documents contained in the

³ The disingenuousness of Ashland's complaint that Plaintiff has failed to identify with sufficient specificity the documents that Plaintiff has made available in this case is highlighted by the fact that Ashland neither produced any documents nor made any documents available in response to Plaintiff's discovery requests, even though in Ashland's response it identified clearly relevant documents, including prior deposition testimony pertaining to the Site, of witnesses who Plaintiff has deposed in the present case without access to this prior testimony.

Ashland/AETC and Southland files in its responses to Ashland's discovery requests, which are readily available for copying or viewing by Ashland. In order to obtain these documents, all Ashland need do is place a telephone call to Ms. New, the paralegal who oversees the Document Repository.

Ashland has thus had available to it in the repository all of the documents of which the Agreement Group is aware concerning the underlying facts relating to Ashland's liability, EPA's actions and decision-making at and with respect to the Site, and the Agreement Group's conduct of the remedial actions dictated in the ROD. Ashland's discovery requests primarily seek not those facts, but instead the Agreement Group's thoughts about the legal implications of those facts; thoughts and conclusions Ashland is free to form and draw for itself.

ARGUMENT

Ashland's repeated claim in the Motion that its discovery requests are specifically tailored to "disclose facts and evidence that [Plaintiff] currently possesses and that it relies upon in support of its very own allegations" is disingenuous. Ashland Brief at 7. CERCLA provides that liable persons include "any person who by contract, agreement, or otherwise arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances owned or possessed by such person, by any other party or entity, at any facility or incineration vessel owned or operated by another party or entity and containing such hazardous substances...." 42 U.S.C. § 9607(a)(3). The "facts and evidence" relevant to Ashland's liability here thus include primarily the details of Ashland's agreement with AETC to remove and dispose of Ashland's various waste streams (including the nature and quantities of those waste streams), AETC's separate agreement with DCC to haul and dispose of those waste streams, and what DCC did with the waste streams after it picked them up at the Great Meadows

facility. The Agreement Group had nothing to do with those arrangements and conduct, and has no special access to any of the documents or witnesses who might be sources of evidence from which this Court will ultimately make factual determinations concerning those agreements and conduct. Indeed, Ashland itself created or was a party to most of those documents and has equal access to witnesses.

For these reasons, Ashland's requests do not really seek "facts and evidence," but really constitute contention interrogatories that are premature. The discovery requests that Plaintiff has objected to on this basis are classic contention interrogatories that fall into at least two of the categories of contention interrogatories described in *B. Braun Medical, Inc. v. Abbott Laboratories*, 155 F.R.D. 525 (E.D. Pa. 1994), the case Ashland cites in supports of its argument. Each of the interrogatories in response to which Plaintiff posed this objection asks Plaintiff to articulate theories of its case that have not yet been fully developed. Discovery in this case is still ongoing and Plaintiff's discovery with respect to Ashland in particular is not yet complete. Furthermore, even if Plaintiff were inclined to posit the legal contentions called for by these interrogatories, their excessive broadness and overinclusiveness would preclude Plaintiff's being able to do so.

Ashland also finds fault with the Agreement Group's designation of business records in response to its discovery requests on the basis that Plaintiff has failed to identify these records with sufficient specificity. Under Rule 33(d), a party upon whom interrogatories are served is permitted to answer such interrogatories by specifying the records from which the answer may be derived and affording the party serving the interrogatory an opportunity to examine and copy such records, provided that "the burden of deriving or ascertaining the answer is substantially the same for the party serving the interrogatory as for the party served." Fed. R.

Civ. P. 33(d). Rule 33 further provides that the responding party shall specify the responsive documents “in sufficient detail to permit the interrogating party to locate and to identify, as readily as can the party served, the records from which the answer may be ascertained.” *Id.* The Advisory Committee Note to the 1970 Amendment to the Rule makes clear that the purpose of this provision is to place upon the party seeking the information the burden of research. Fed. R. Civ. P. 33(d) advisory committee’s note to the 1970 amendment; *see also Petroleum Ins. Agency, Inc. v. Hartford Accident and Indemnity Co.*, 111 F.R.D. 318, 320 (D. Mass 1984) (“[T]he stated purpose of [Fed. R. Civ. P. 33(d)] is to require the party seeking the discovery to expend the effort and expense to procure it”). The requirement that the burden of ascertaining the answer be the same for both sides is meant to protect the interrogating party from the responding party’s abuse of this provision. Fed. R. Civ. P. 33(d) advisory committee’s note to the 1970 amendment. Accordingly, “a respondent may not impose on an interrogating party a mass of records as to which research is feasible only for one familiar with the records...”). *Id.*

The burden of ascertaining the answer to each of the interrogatories in response to which Plaintiff referred Ashland to documents contained in the Document Repository or at Pitney Hardin Kipp & Szuch (“Pitney Hardin”)⁴ is the same for Plaintiff as for Ashland. Plaintiff would follow the same procedure for obtaining documents in the Repository responsive that Ashland would, i.e., by formulating and conducting searches of the available databases,

⁴ To the best of the Agreement Group’s knowledge, the Document Repository contains a copy of every non-duplicative document pertaining to Ashland that may be found at Pitney Hardin. Plaintiff referred to documents in the possession of Pitney Hardin in some of its responses to Ashland’s discovery requests because those requests are overly broad, including requests for “all documents,” a phrase that can be read to seek production of each and every copy of each and every responsive document, even though there is no difference between such copies, and because Plaintiff may have inadvertently failed to obtain a copy of some document there that pertains to the Site.

reviewing the selected document files, and/or by contacting Ms. New for assistance in locating documents responsive to the information request, using the terms provided in that interrogatory. In other words, research of the documents contained in the Document Repository is as feasible for Ashland as it is for Plaintiff. Therefore, given that the burden of obtaining the documents responsive to Ashland's interrogatories is identical for both parties, Rule 33(d) requires that Ashland, the party who seeks the information, rather than Plaintiff, be charged with the obligation to do so.

Interrogatory No. 1

Interrogatory No. 1 requests sixteen subparts worth of detailed information regarding "*each shipment* of Hazardous Substances Plaintiff *contends* was generated and/or transported to and disposed of at the Site by or on behalf of Ashland." Interrogatory No. 1 (emphasis added). This is a contention interrogatory because it asks very specifically about *individual* shipments of wastes the Agreement Group "contends" were disposed of at the Site. *See, e.g., B. Braun Medical, Inc.*, 155 F.R.D. at 527 ("Contention interrogatories ask a party: to state what it contends..."). Plaintiff has not yet formed (and probably never will form) any "contentions" as to any *specific* shipments of Ashland hazardous substances. Ashland, AETC, and Southland provided to EPA years ago detailed bills of lading, invoices, and other transactional documents evidencing what appear to be every load of waste removed from the Great Meadows Facility by DCC. The bills of lading were dated, reference the type and volume of waste removed, and are usually signed by both a DCC driver and an Ashland employee. The former DCC drivers and other employees testified as to their personal knowledge of what DCC's waste disposal practices were in various time periods and about the numbers of times they personally hauled Ashland wastes to the Site for disposal. Not surprisingly, none of the

witnesses was asked about any *specific* loads on *specific* days that were disposed of at the Site. The Agreement Group's burden of proof at trial is to establish that Ashland arranged for the disposal of its wastes and that some of all of those wastes were disposed of at the Site. 42 U.S.C. § 9607(a)(3). The Agreement Group is not required to do so by proving that *specific* shipments of those wastes were disposed of at the Site.

The Agreement Group therefore correctly objected that Interrogatory No. 1 was a contention interrogatory by which Ashland was attempting to require the Agreement Group to form legal and factual contentions that it had no obligation to form, certainly not at this time in the litigation. The Agreement Group responded to the precise question asked, as it is required to do pursuant to the Federal Rules of Civil Procedure. Fed. R. Civ. P. 33(b)(1). Ashland incorrectly states in its Motion that Interrogatory No. 1 seeks "the factual basis upon which it was sued." Ashland brief at 9. Had Ashland asked that question, it would have received a different response. Like many of its other discovery requests, Ashland is now unhappy with the precise question it asked and now wants a response to the question it wishes it had asked.⁵

Interrogatory No. 2

Interrogatory No. 2 asks Plaintiff to identify "with specificity each type of Hazardous Substance which the EPA's ROD...was specifically directed by the EPA to be cleaned up [sic]" and proceeds to request nine additional subparts of information concerning each of these Hazardous Substances, including the entity Plaintiff "contends" generated,

⁵ Ashland's complaint in Footnote 4 to its brief concerning the "unidentified" drums of waste "purportedly" dug up at the Site in 2004 that bear Ashland labels is incredible. There is extensive record of communications (including photographs) between counsel for the Agreement Group and counsel for Ashland concerning those drums. Indeed, Ashland (sampled the wastes from the drums). E-mail correspondence pertaining to this is attached hereto marked Exhibit "D".

transported, disposed of, and arranged for the disposal of each substance; the date Plaintiff “contends” each substance was transported to or disposed of at the Site; and the volume of each substance Plaintiff “contends” was transported to or disposed of at the Site.

The first and controlling sentence of this interrogatory is unintelligible. The phrase “which the EPA’s ROD ... was specifically directed by the EPA to be cleaned up” makes no grammatical sense. The subsidiary interrogatory subparts make no sense either, given the confusion created by the first part, and because they repeatedly refer to “each Hazardous Substance.”

Persons are liable under CERCLA if they meet one of the statutory definitions in Section 107(a) and there has been “a release, or a threatened release which causes the incurrence of response costs, of a hazardous substance...” Any such person is responsible for “necessary costs of response...consistent with the national contingency plan.” Consistent therewith, Plaintiff’s Third Amended Complaint alleges that there were releases or threatened releases of one or more hazardous substances at or from the Site, and that Plaintiff has incurred and will continue to incur in the future necessary costs of response that were and will be incurred consistently with the NCP. Complaint at ¶¶ 1, 23-24. Plaintiff’s Complaint does not allege any list of specific hazardous substances that the EPA “directed” be cleaned up, nor does it allege, as to each such hazardous substance, who generated that substance, who transported and disposed of it at the Site, who arranged for such transportation, or any of the other subsets of information sought in this Interrogatory. Whether or not Plaintiff will at some point in the future “contend” that any particular person or entity generated each and every hazardous substance identified by EPA as present in one or more media at the Site remains to be seen. In the meantime, the “factual flesh” behind Plaintiff’s allegations in the Complaint may be found in the ROD and

other documents comprising EPA's Administrative Record on the Site, which are both publicly available and present in the Document Repository and may be obtained by Ashland with a simple phone call to Ms. New.⁶

Again, notwithstanding that Plaintiff has formed no such contentions regarding the Hazardous Substances at the Site, this interrogatory is unduly burdensome insofar as it seeks a recitation of publicly available EPA information as readily available to Ashland as to Plaintiff. It is not Plaintiff's obligation under the discovery rules to recite to Ashland facts available in publicly available documents or explain EPA's decision-making processes for the actions it has taken at the Site. If, as Ashland attempts to clarify in its motion, this interrogatory seeks to learn what hazardous substances "EPA, in its ROD, directed be cleaned up," Ashland Brief at 11, then Ashland should read the ROD to see what the ROD says, not complain in its brief that it doesn't know where to look for the information. The Agreement Group was not involved in EPA's decision-making set forth in the ROD.

Interrogatory Nos. 3-5, 8-9, and 14

These interrogatories ask in various and duplicative ways about the response costs the Agreement Group has incurred and will in the future incur, and then attempts to force the Agreement Group to form premature and unnecessary contentions with respect to Ashland's and other parties' "equitable shares" of those costs. The Agreement Group has provided detailed and complete spreadsheets concerning each dollar of response costs it has incurred at the Site, including all of the underlying payment demands and invoices reflecting those costs. Copies of

⁶ With respect to Subpart i of Interrogatory No. 2, Plaintiff's objection that it seeks privileged information is proper given that the interrogatory seeks the identity of anyone (which would include, for example, Plaintiff's attorneys) believed by Plaintiff to "have information or knowledge" about the transportation and disposal of each Hazardous Substance to the Site, rather than just those persons with personal knowledge thereof.

those spreadsheets are attached hereto marked Exhibits "B" and "C". As detailed in the letter of November 18, 2004 to Ashland from the Agreement Group, Plaintiff also produced invoices and other related information in response to the discovery requests of Ashland and the other Defendants. The cost documentation produced explains remediation activities conducted by the Agreement Group and the costs incurred for each such activity. These documents were designated with particularity and are readily available to Ashland with a phone call to Ms. New.

With respect to requests concerning future response costs, such as Interrogatory No. 3, Plaintiff's current estimates of any such costs, or information and documents related to any such estimates, is neither relevant to any issue in the litigation nor will lead to the discovery of admissible evidence relevant to any such issue. The Agreement Group's Complaint seeks a money judgment as to costs it has incurred to date and will incur up to the date of trial (or some earlier past costs cut-off date as set by the Court). Those costs will be known both as to amount and as to the response activities to which the amounts are related. Plaintiff's Complaint also seeks a declaration of each Defendant's equitable share of all necessary costs of response as such costs are incurred in the future by the Agreement Group, however it does not seek a money judgment for any estimate of such costs. Count II of the Complaint states just such a declaratory judgment claim, as permitted by CERCLA Section 113(g)(2). 42 U.S.C. § 9613(g)(2).

CERCLA provides for such a judgment for percentage share liability for future costs precisely because there is no way to know now what those future costs will be. The Consent Decrees require the Agreement Group to continue implementing the remedies selected in the ROD until the "Performance Standards" are achieved as set forth in the ROD. It is not unusual for CERCLA remedial actions to continue for decades. Courts therefore routinely grant precisely

the relief sought here by the Agreement Group – a money judgment for past costs and a declared percentage share of all appropriate future costs as such costs are incurred year to year.

To the extent that these interrogatories also seek to learn about any specific hazardous substances that are being remediated by any specific remediation activities at the Site, they are improper. The RI/FS prepared by EPA and EPA's decisions on remedy selection as set forth in the ROD identify dozens of hazardous substances in the soils and groundwater at the Site that EPA concluded required remediation. Indeed, those two key documents identify and characterize the extent of contamination at the Site, assess the risks to human health and the environment from such contamination, and evaluate the effectiveness of various remediation alternatives to address any such risks. It is the EPA that made these determinations, not the Agreement Group.

Moreover, persons are liable under CERCLA for "necessary costs of response . . . consistent with the National Contingency Plan" once it is shown that there has been a release or threatened release of a hazardous substance which causes the incurrence of response costs. 42 U.S.C. § 9607(a). EPA has determined that there was a release or threatened release of a multitude of hazardous substances which have caused the incurrence of response costs because such threat to human health and the environment from those releases needed to be addressed. It then determined what remedial actions would appropriately address *all* such hazardous substances, not just one or two of them. By way of example only, the groundwater collection and treatment system operating at the Site was selected because many hazardous substances in the groundwater were considered by EPA to be a threat to human health or the environment. There is not just one particular hazardous substance in the groundwater that led EPA to this conclusion, as even a cursory review of the ROD would show.

The remaining portions of these interrogatories are naked contention interrogatories, in that they seek to learn the equitable share of each party that Plaintiff “contends” is appropriate. Such requests are both premature and not reasonably calculated to lead to the discovery of admissible evidence. At trial, the Court will determine “equitable shares” using the factors it finds appropriate. Section 9613 of CERCLA provides: “In resolving contribution claims, the court may allocate response costs among liable parties using such equitable factors as the court determines are appropriate.” 42 U.S.C. § 9613(f)(1). Courts making allocation decisions have identified a myriad of such factors, including the volume of waste disposed of at the Site, the type of waste, the knowledge of the persons involved in the creation or disposal of the waste, the level of cooperation (or non-cooperation) with EPA, the effect the waste might have had on other wastes deposited at the Site, etc.

Each of the response actions taken by the Agreement Group was specifically required by the ROD and/or by EPA as part of its oversight of the Agreement Group’s implementation of the remedial actions set forth in the ROD. It is thus not the Agreement Group that has determined what hazardous substances EPA believes are being addressed by the various response actions, it is EPA that has made that determination as set forth in the RI/FS, the ROD, and the various other technical documents and correspondence between the Agreement Group and EPA related to the site. All of this documentation is located in the Repository and clearly indexed therein. Ashland can determine which of those documents contain information it seeks to learn about EPA’s decision-making just as easily as can the Agreement Group. Ashland can then make at trial whatever arguments or contentions it wants to concerning any such information. The Agreement Group may or may not form any such contentions, depending, most likely, upon whether the Agreement Group believes that any information concerning any

specific hazardous substances from any particular defendant constitute an “equitable factor” for this Court to consider pursuant to CERCLA § 113(f).

While the Agreement Group may choose to advocate at trial what this Court *should* determine each party’s equitable shares should be, its burden at trial is only to put on evidence from which *this Court* can make such a determination, and to otherwise prove its entitlement to a judgment against the Defendants. In any event, the Agreement Group has no intention of forming an opinion as to any party’s equitable share until it knows all of the facts concerning each party’s waste streams, its relationship with DCC (or whatever other waste disposal company it dealt with), its relationship to the Site, and a myriad of other facts that this Court may conclude are “equitable factors” to be considered in allocating response costs. Any such conclusions will also be dependent upon the expert opinion testimony ultimately offered by the parties, legal rulings made by this Court, and other information and analysis that has not been gathered or considered at this point in the litigation. These contention interrogatories are at best premature.

Interrogatory Nos. 11 and 12

These interrogatories seek “itemizations” of response costs “allegedly” incurred by EPA prior to July 2000 and after July 2000. The Agreement Group made no such allegations. Rather, EPA alleged response costs incurred prior to July 2000 and has invoiced the Agreement Group for certain response costs since July, 2000. What EPA believes are its response costs incurred prior to July 2000 is a question more properly directed to EPA. Ashland is free to visit EPA Region III in Philadelphia and ask for such documents and is free to take the deposition of EPA to ask just this question. With respect to post-July, 2000 EPA response costs, EPA has submitted to the Agreement Group invoices for payment of such costs, which invoices have been

paid by the Agreement Group as required by the two Consent Decrees. Copies of those invoices and proofs of the Agreement Group's payment thereof are available in the Repository and are easily identified as such in the index to the Repository. Moreover, the spreadsheets of the various group accounts from which such EPA costs were reimbursed by the Agreement Group have been provided to Ashland. Those spreadsheets itemize each such payment.

Interrogatory No. 13

The Agreement Group has identified in the Repository the invoices from the law firm of Montgomery McCracken Walker & Rhodes for which it seeks recovery. A phone call or e-mail to Ms. New is all that it takes for Ashland to receive a copy. To the extent that the interrogatory seeks the identity of "any and all documents evidencing, referring or relating to such alleged fees incurred by Plaintiff," it is overbroad, as the invoices specify exactly the work done for which recovery is sought, and because "[a]ny and all documents... relating to" such fees would include the work product of the attorneys who did that work as well as a potential multitude of other documents utilized by the attorneys as part of that work.

Interrogatory No. 15

This interrogatory is grossly overbroad as a glance at the subparts will illustrate. In addition, the phrase "identify all other facilities at which Hazardous Substances generated or transported by each member was disposed of, other than the Boarhead Site" is vague, confusing, ambiguous, and unintelligible. The Agreement Group quite simply has no idea what information this interrogatory is seeking. More importantly, the members of the Agreement Group have no independent knowledge of where waste removed from their facilities was disposed of by DCC. Just like the Defendants, the members of the Agreement Group simply arranged with DCC to remove their wastes and have no contemporaneous knowledge of where the DCC truck drivers

actually took those wastes. Indeed, two of the members of the Agreement Group, Cytec and TI Automotive, were not even customers of DCC, but were instead customers of Marvin Jonas. Those members have no knowledge of DCC at all. For all these reasons, this interrogatory is objectionable.⁷

Interrogatory No. 16

Plaintiff properly objected on behalf of each of its members that none of its members arranged for the “transportation to and disposal of... Hazardous Substances at the Site.” Unlike Ashland, there has been no evidence adduced to date in this litigation or otherwise that any of the members of the Agreement Group even knew of the existence the Boarhead Site in the relevant time period, much less knew, as did Ashland, that Mr. DeRewal planned on disposing of its wastes there.

Interrogatory No. 18

This interrogatory seeks information and documents “supporting Plaintiffs [sic] contention that it and/or its members is, are, or were Potentially Responsible Parties responsible for or liable to the EPA” The phrase “it and/or its members is, are, or were Potentially Responsible Parties” is vague, confusing, and ambiguous. Moreover, the Agreement Group’s Complaint does not allege that the members are liable persons under CERCLA, only that they

⁷ The Agreement Group provided extensive information and hundreds of pages of documents in response to properly phrased written discovery requests served by other defendants with respect to the facilities of its members, including, *inter alia*, the business of those facilities and wastes created there, persons with knowledge of such wastes and other categories of persons employed at those facilities in the relevant time period, and any connection between those facilities and the Site or DCC. Ashland received copies of those responses and is free to inspect those documents in the Repository.

have agreed with EPA to remediate the Site. It is simply unclear what information Ashland is seeking with this interrogatory and the Agreement Group's objections are therefore appropriate.⁸

Document Request No. 1

Document Request No. 1 asks Plaintiff to produce "all statements" from "all witnesses and persons with information or knowledge" relating to the facts alleged in the Complaint. This request is grossly overbroad insofar as it would include, depending upon the meaning of "statements," every deposition transcript, or excerpt thereof, and each and every page of the dozens of responses made to EPA 104(e) information requests, of which there are hundreds. Moreover, the only non-privileged responsive documents are documents created by others and deposition transcripts of persons unaffiliated with Plaintiff. As explained above, since it would be as feasible for Ashland to conduct such a search of the Document Repository as it would be for Plaintiff to do so, Plaintiff's referral to the documents contained in the Document Repository is a sufficiently specific designation to satisfy its obligation under the Federal Rules of Civil Procedure, which require that the burden of conducting such a search should fall to Ashland. *Cf. Petroleum Ins. Agency, Inc.*, 111 F.R.D. at 320. Furthermore, it would be patently unfair to require Plaintiff to expend the necessary time and resources cataloging and reviewing every deposition transcript and other "statement" contained in the Document Repository to provide a substantive answer to this grossly overbroad discovery request.

Document Request No. 5

⁸ Once again, Ashland attempts to rewrite the actual interrogatories served in the context of this motion. The Agreement Group responded to exactly the interrogatories posed. It did not then and it need not now respond to Ashland's attempts to "fix up" its improvidently worded discovery requests.

Plaintiff also properly objected to Document Request No. 5, which requests “[a]ny and all document used, consulted, referred to, identified or requested to be identified by Plaintiff in answer to any and all other Defendants’ Interrogatories...”, as overbroad. Ashland was served with those discovery responses in any event, and can simply review them for the information it seeks. Accordingly, under Fed. R. Civ. P. 34(b), Plaintiff is under no obligation to produce or otherwise make available documents responsive to this Document Request. Fed. R. Civ. P. 34(b). Notwithstanding this, Ashland is free to contact Ms. New and request a copy of any document Plaintiff identified or otherwise made available in response to the discovery requests of any other Defendant in this case.

Document Request Nos. 6, 7 and 8

Plaintiff’s objections to these discovery requests on the grounds that the phrase “investigation files and other documents” is vague, confusing and ambiguous and that they are overly broad and burdensome is valid, and Ashland’s deeming these objections “patently absurd” does not make them so. Since Ashland offers no legally cognizable argument to substantiate its “nuh-uh” response to Plaintiff’s objections, Plaintiff cannot counter the assumptions upon which Ashland’s characterization of its objections rests. Nonetheless, Plaintiff submits that it does not know to what the phrase “investigation files and other documents” contained in these document requests refers. EPA’s “investigation documents” are included in the Administrative Record in the Document Repository, because that is one of the elements of EPA Administrative Records. It is not Plaintiff’s burden to go through EPA’s Administrative Record to determine which elements of the Administrative Record constitute “investigation files and other documents.” Likewise, Ashland’s assertion that these Document Requests do not seek production of attorney work product materials is belied by the overly broad wording of the requests themselves which

seek “any and all” of the specified “investigation files and other documents” in Plaintiff’s possession. Moreover, Plaintiff strongly disagrees with Ashland’s assertion that pages from the deposition transcripts of persons unaffiliated with Plaintiff and documents created by others cannot constitute attorney work product. It is the very decision to include some or all of a particular transcript or document in such a file that constitutes attorney work product. As stated in Plaintiff’s objection, any such documents, transcripts or portions thereof that might be contained in files created and maintained by Plaintiff in anticipation of or as part of this litigation are privileged even though the documents and transcripts themselves may not be. In any event, any such documents and transcripts or portions thereof so assembled have been produced in their entirety as part of this litigation and are available in the Document Repository.

Document Request No. 10

Plaintiff’s objections to Document Request No. 10 as vague, confusing, ambiguous, overly broad and burdensome are valid and proper. Almost any communication by anyone in the world having to do with the Boarhead Farm Site could be a communication “relating to the presence of and clean-up of hazardous substances at the Site.” It is thus very unclear exactly what “communications” Ashland is seeking with this request. In any event, Plaintiff has made available in the Document Repository all reports and correspondence by it to EPA and PADEP, or from those agencies to Plaintiff. Furthermore, these documents may be identified immediately on the index to the Document Repository.

Document Request No. 11

Again, Ashland’s “nuh-uh” response to Plaintiff’s objections is not a legally cognizable argument meriting a response. Notwithstanding this, Plaintiff will articulate the basis of its objections to this Document Request. The phrase “documents embodying, evidencing,

referring or relating to any and all agreements entered by BFAG relating to the clean-up of the Site” could be read to refer to the two Administrative Consent Orders, the two Consent Decrees, the various agreements of the OU-1 and OU-2 Groups, contracts between Plaintiff and the various Site contractors, and every single piece of paper reporting on, dealing with, or otherwise discussing the clean-up work, including each and every invoice, cover letter, payment check, cover letters thereto, etc. The request is thus vague, confusing, ambiguous, overly broad and unduly burdensome.

Document Request No. 12

Plaintiff properly objected to this Document Request as vague, confusing and ambiguous because it does not know what categories of documents Ashland believes would constitute documents that “designate or refer to BFAG, including its members, as Potentially Responsible Parties.” Notwithstanding this, all non-privileged documents pertaining to BFAG’s connection to and participation in the cleanup of the Site are contained in the Document Repository and may be identified by conducting a search thereof.

Document Request No. 15

Once again, Ashland’s assertion that Plaintiff’s objections to this Document Request are “completely groundless” is not a legally cognizable argument meriting a response from Plaintiff. Regardless, to the extent that Plaintiff can glean from this unintelligible request that it seeks laboratory analyses and related documents pertaining to Ashland hazardous substances deposited at the Site, Plaintiff asserts that all non-privileged documents potentially responsive to this request may be found in the Document Repository. Insofar as the burden of identifying any such documents is identical for Ashland as for Plaintiff, Plaintiff’s response to this request properly refers Ashland to these documents. In addition to the unintelligibility of

this request properly refers Ashland to these documents. In addition to the unintelligibility of this request, Plaintiff's assertion that it is in no better position than Ashland to search for these documents is substantiated by the fact that such documents, other than reports of Plaintiff's testing of the three recently-excavated drums bearing Ashland labels (copies of which have been provided to Ashland), would have been created by EPA, its contractors, or others, and not by Plaintiff.

Document Request No. 16 and 17

Plaintiff's responded to these requests in substantially the same manner, and for the same reasons, as it responded to Document Request No. 15. Accordingly, Plaintiff refers to its argument above pertaining to Document Request No. 15.

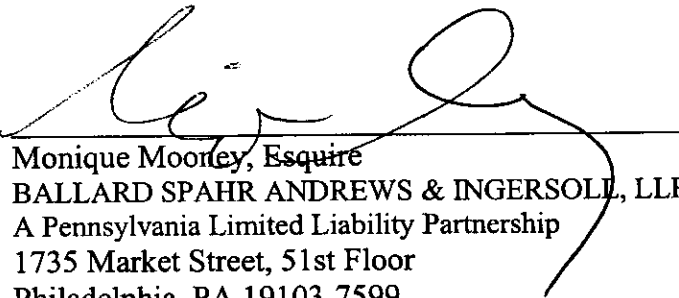
CONCLUSION

In summary, Plaintiff provided full and complete answers to Ashland's proper discovery requests and otherwise asserted appropriate objections to those which were improper. For all of the reasons set forth above, and in the interests of justice, the Agreement Group respectfully requests that this Court deny Ashland's Motion.

Respectfully Submitted,

Dated: January 5, 2005

By:


Monique Mooney, Esquire
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
A Pennsylvania Limited Liability Partnership
1735 Market Street, 51st Floor
Philadelphia, PA 19103-7599
(215) 665-8500

CERTIFICATE OF SERVICE

I hereby certify that, on January 5, 2005, Plaintiff Boarhead Farm Agreement Group's Memorandum of Law in Opposition to the Motion of Defendant Ashland Inc. to Strike Plaintiff's Untimely and Improper Objections to Ashland's Interrogatories and Document Requests, First Sets, and to Compel More Specific Responses thereto was filed electronically and is available for viewing and downloading from the Electronic Case Filing System of the United States District Court for the Eastern District of Pennsylvania. In addition, a true and correct copy of the foregoing was served by first-class mail, postage prepaid upon the following:

Thomas W. Sabino, Esquire
Wolff & Samson, PC
The Offices at Crystal Lake
One Boland Drive
West Orange, NJ 070529

Robert M. Morris, Esquire
Morris & Adelman, P.C.
1920 Chestnut Street
P.O. Box 30477
Philadelphia, PA 19103
Advanced Environmental Technology Corp.

Lynn Wright, Esquire
Edwards & Angell, LLP
750 Lexington Avenue
New York, NY 10022-1200
Carpenter Technology Corporation

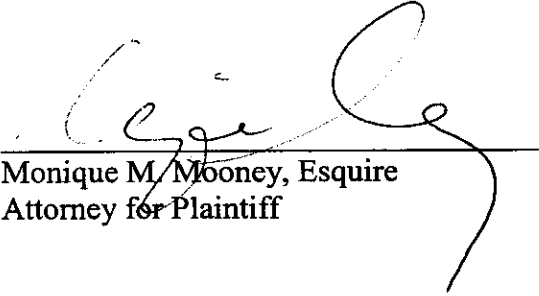
Melissa Flax, Esquire
Carella, Byrne, Bain, Gilfillian, Cecchi,
Stewart & Olstein, P.C.
Five Becker Farm Road
Roseland, New Jersey 07068-1739
Handy & Harman Tube Company

Stephen P. Chawaga, Esquire
Monteverde, McAlee & Hurd
One Penn Center at Suburban Station
Suite 1500
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1815
Merit Metals Products Corp.

Andrew P. Foster, Esquire
Drinker, Biddle & Reath, LLP
One Logan Square
18th & Cherry Streets
Philadelphia, PA 19103-6996
Rahns Specialty Metals, Inc.
Techalloy Co., Inc.
Thomas & Betts Corporation
Unisys Corporation

Edward Fackenthal, Esquire
Henderson, Weitherill, O'Hey & Horsey
Suite 902 - One Montgomery Plaza
P.O. Box 751
Norristown, PA 19404

Date: January 5, 2005



Monique M. Mooney, Esquire
Attorney for Plaintiff

EXHIBIT A

LAW OFFICES

BALLARD SPAHR ANDREWS & INGERSOLL, LLP

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WASHINGTON, DC

PARTNER RESPONSIBLE FOR
VOORHEES, NJ PRACTICE
BENJAMIN A. LEVIN

GLENN A. HARRIS

DIRECT DIAL: 856-761-3440

PERSONAL FAX: 856-761-9001

HARRISG@BALLARDSPAHR.COM

September 14, 2004

BOARHEAD DEFENDANTS

Re: Boarhead Litigation

Dear Colleagues:

I have enclosed for each of you the responses of the Agreement Group to discovery requests served by various defendants. Copies of these responses are being placed as well in the Document Repository.

As part of these responses, the Agreement Group is making available thousands of pages of additional documents. Copies of invoice packages (invoice, correspondence regarding the invoice, and approval form) for each Response Action ("RA") contractor will be placed in the Repository. Each of you will receive either electronically or in hard copy (with a copy to the Repository) a spreadsheet posting the costs reflected on each invoice to a budgeted RA task. Copies of correspondence between such contractors and de maximis, copies of additional correspondence between de maximis and EPA and PADEP, copies of additional technical documents submitted to or received from EPA and PADEP detailing the response actions taken or proposed by the Agreement Group, and copies of other de maximis Agreement Group correspondence will also be placed in the Repository. Copies of many Marvin Jonas-related documents will be placed in the Repository, including Mr. Jonas's complete accounts receivable ledgers, his New Jersey hauler statements, the "3-Ring Binder," and deposition transcripts of Mr. Jonas and some of his former employees taken in other matters. Copies of other correspondence by or on behalf of the Agreement Group will be placed in the Repository as well, including documents reflecting more recent payment of invoices from Agreement Group contractors. Copies of many documents produced by Carpenter Technology in other litigation, including deposition transcript of several of its current or former employees, will be placed in the Repository. Each of you will receive an updated index to the Repository reflecting the addition of these, as well as many other, documents.

Boarhead Defendants
September 14, 2004
Page 2

The Agreement Group will also make available at Pitney Hardin dozens of boxes of Agreement Group documents, the majority of which were placed in the Repository long ago. Each of you will receive either electronically or in hard copy a detailed index of those documents as well as trust ledgers showing payments made by PH on behalf of the Agreement Group and reflecting trust account files maintained at PH that are available for inspection and copying.

These indexes, schedules, and lists are intended to assist each of you in understanding and accessing the documents and information provided in the Agreement Group's responses.

A privilege log and verifications to the interrogatory responses will follow shortly.

Very truly yours,



Glenn A. Harris

GAH/dn
Enclosures

EXHIBIT B

Harris, Glenn A. (VH)

From: Harris, Glenn A. (VH)
Sent: Tuesday, September 28, 2004 9:39 AM
To: A. Nicole Friant (E-mail); Adina Marie Bingham (E-mail); Andrew P. Foster (E-mail); Edward Fackenthal (E-mail); Lynn Wright; Melissa Flax (E-mail); Richard C. Biedrzycki (E-mail); Robert M. Morris (E-mail); Seth v. d. H. Cooley (E-mail); Stephen P. Chawaga (E-mail); Thomas W. Sabino (E-mail)
Subject: Boarhead - PHKS Trust Ledgers



DOC008.pdf

Colleagues,

I have attached the trust ledgers from PHKS accounts with respect to response costs payments. These ledgers reflect payment of the invoice packages produced to the Repository from de maximis. The trust account files are available at PHKS for inspection and copying.

Regards,

Glenn

Glenn A. Harris
Ballard Spahr Andrews & Ingersoll, LLP
856-761-3440
harrisg@ballardspahr.com

| 1300 | | | | | | | | |
|----------|---------------------|---------------|-------------------|----------------------------|---|-----------|-------------|--------------|
| DATE | RECEIPTS | DISBURSEMENTS | | Invoice No. | Description | Check No. | Amount | BALANCE |
| | Contributor | Amount | Payee | | | | | |
| | | | | | | | | \$9,694.02 |
| 11/22/99 | Citibank | \$9,694.02 | | | | | | \$19,694.02 |
| 12/15/99 | Investors Trust | \$10,000.00 | | | | | | \$29,694.02 |
| 12/17/99 | Vorys Sater Seymour | \$10,000.00 | | | | | | \$49,694.02 |
| 12/23/99 | SPS Technologies | \$20,000.00 | | | | | | \$69,694.02 |
| 12/27/99 | Cytec | \$20,000.00 | | | | | | \$89,694.02 |
| 01/11/00 | Lucent | \$20,000.00 | | | | | | \$109,694.02 |
| 01/12/00 | Ford | \$20,000.00 | | | | | | \$98,605.32 |
| 02/04/00 | | | de maximis, inc. | | Consulting Services | 50832 | \$11,088.70 | \$83,605.32 |
| 02/04/00 | | | Bigler Associates | | Consulting Services | 50833 | \$15,000.00 | \$70,445.47 |
| 03/15/00 | | | de maximis, inc. | 000084 and 000186 | | 50979 | \$13,159.85 | \$62,445.47 |
| 05/02/00 | | | Bigler Associates | Partial Payment (%80) | Prepare Draft Health & Safety Plan and Remedial Design WP | 51175 | \$8,000.00 | \$56,756.73 |
| 05/19/00 | | | Brown & Caldwell | | Consulting Services | 51262 | \$5,688.74 | \$48,059.95 |
| 05/19/00 | | | Brown & Caldwell | | Consulting Services | 51263 | \$8,696.78 | \$30,667.05 |
| 06/07/00 | | | de maximis, inc. | 000294, 000408, and 000519 | Consulting Services | 51366 | \$17,392.90 | \$25,756.13 |
| 06/26/00 | | | Brown & Caldwell | | Remedial Design WorkPlan for OU-1 | 51467 | \$4,910.92 | \$23,167.38 |
| 06/26/00 | | | Bigler Associates | | O&M Transition and Discharge Limit Evaluation and Negotiation | 51468 | \$2,588.75 | \$14,054.90 |
| 06/29/00 | | | Bigler Associates | | Study & Conceptual Design Report for GTS Upgrade | 51480 | \$9,112.48 | \$4,360.88 |
| 08/02/00 | | | | | Trust Transfer to 1301 | | \$4,360.88 | \$9,694.02 |
| 08/02/00 | | | | | Trust Transfer to 1302 | | \$9,694.02 | \$0.00 |

| 1301: OU-1 RD/RA Technical | | | | | | | | |
|----------------------------|------------------------|-------------|-------------------|-------------|-----------------------------|-----------|-------------|--------------|
| RECEIPTS | | | DISBURSEMENTS | | | | | |
| DATE | Contributor | Amount | Payee | Invoice No. | Description | Check No. | Amount | BALANCE |
| 08/02/00 | | \$4,360.88 | | | Transfer of funds from 1300 | | | \$4,360.88 |
| 08/02/00 | Ford | \$50,000.00 | | | For OU-1 RD/RA Costs | | | \$54,360.88 |
| 08/09/00 | | | Bigler Associates | | Operation and Maintenance | 51655 | \$13,712.89 | \$40,647.99 |
| 08/09/00 | | | Brown & Caldwell | | Services | 51656 | \$15,417.21 | \$25,230.78 |
| 08/10/00 | | | Bigler Associates | | Consulting Services | 51672 | \$11,252.16 | \$13,978.62 |
| 08/11/00 | Cytec Industries | \$50,000.00 | | | O&M Services | | | \$63,978.62 |
| 08/15/00 | Laurel Trust Co. | \$25,000.00 | | | Technical Consulting Fee | | | \$88,978.62 |
| 08/16/00 | | | Bigler Associates | | Technical Consulting Fee | | | \$87,337.37 |
| 08/16/00 | SPS Technologies | \$50,000.00 | | | Engineering Services | 51694 | \$1,641.25 | \$137,337.37 |
| 08/17/00 | | | Brown & Caldwell | | Technical Consulting Fee | | | \$110,323.18 |
| 08/22/00 | Worthington Industries | \$25,000.00 | | | Technical Services | 51708 | \$27,014.19 | \$135,323.18 |
| 08/30/00 | | | de maximis, inc. | | Technical Consulting Fee | | | \$125,832.84 |
| 09/08/00 | | | de maximis, inc. | | Consulting Services | 51744 | \$9,490.34 | \$118,034.59 |
| 09/12/00 | Lucent Technologies | \$50,000.00 | | | Consulting Services | 51789 | \$7,798.25 | \$168,034.59 |
| 09/26/00 | | | Bigler Associates | | Technical Consulting Fee | | | \$153,768.17 |
| 09/26/00 | | | Brown & Caldwell | | O&M Services | 51853 | \$14,266.42 | \$115,874.02 |
| 09/28/00 | | | de maximis, inc. | | Consulting Services | 51852 | \$37,894.15 | \$106,951.88 |
| 10/16/00 | | | Bigler Associates | | Consulting Services | 51887 | \$8,922.14 | \$92,963.04 |
| 10/16/00 | | | Brown & Caldwell | | OU-1 Remedial Design | 51940 | \$13,988.84 | \$66,693.41 |
| 10/20/00 | | | Bigler Associates | 000989 | Services | 51941 | \$26,269.63 | \$54,899.61 |
| 11/16/00 | | | de maximis, inc. | | O&M Services | 51953 | \$11,793.80 | \$43,611.04 |
| 11/16/00 | | | de maximis, inc. | | Consulting Services | 52038 | \$11,288.57 | \$35,456.81 |
| 11/16/00 | | | Brown & Caldwell | | Consulting Services | 52039 | \$8,154.23 | \$16,888.03 |
| 11/16/00 | | | Bigler Associates | | Consulting Services | 52040 | \$18,568.78 | \$7,543.05 |
| 12/05/00 | | | de maximis, inc. | | O&M Services | 52097 | \$9,344.98 | \$0.00 |
| 12/21/00 | | | Pitney Hardin | | Consulting Services | 52175 | \$7,543.05 | \$40,000.00 |
| 12/26/00 | Cytec Industries | \$40,000.00 | | | | | | \$80,000.00 |
| 12/28/00 | Ford | \$40,000.00 | | | | | | \$120,000.00 |
| 01/05/01 | SPS Technologies | \$40,000.00 | | | | 52242 | \$22,708.57 | \$97,291.43 |
| 01/10/01 | | | Brown & Caldwell | | | 52243 | \$24,343.35 | \$72,948.08 |
| 01/10/01 | | | Bigler Associates | | O&M Services | | | \$80,491.13 |
| 01/17/01 | | \$7,543.05 | | | Transfer of funds from 1302 | 52307 | \$27,607.22 | \$52,883.91 |
| 02/07/01 | | | Bigler Associates | | O&M Services | | | \$89,550.57 |
| 02/27/01 | Ti Group | \$36,666.66 | | | | 52381 | \$10,301.06 | \$79,249.51 |
| 02/27/01 | | | de maximis, inc. | | | 52433 | \$6,403.81 | \$72,845.70 |
| 03/12/01 | | | Brown & Caldwell | | Engineering Services | 52434 | \$20,967.79 | \$51,877.91 |
| 03/12/01 | | | Bigler Associates | | O&M Services | 52477 | \$14,862.60 | \$37,015.31 |
| 03/20/01 | | | de maximis, inc. | | Consulting Services | | | |

| | | | | | | | | |
|----------|-------------------------|--------------|-------------------|---|--|-------|--------------|--------------|
| 03/26/01 | | | de maximis, inc. | | Consulting Services | 52517 | \$14,844.35 | \$22,170.96 |
| 03/27/01 | Promistar Trust | \$1,666.66 | | | | | | \$23,837.62 |
| 03/27/01 | Promistar Trust | \$750.00 | | | | | | \$24,587.62 |
| 03/30/01 | | | Brown & Caldwell | | Engineering Services | 52551 | \$8,228.64 | \$16,358.98 |
| 04/19/01 | | | de maximis, inc. | | Consulting Services | 52622 | \$11,956.32 | \$4,402.66 |
| 06/12/01 | Agere Systems | \$40,000.00 | | | | | | \$44,402.66 |
| 06/18/01 | | | de maximis, inc. | | | 52879 | \$10,067.33 | \$34,335.33 |
| 06/18/01 | | | Brown & Caldwell | | | 52880 | \$21,974.35 | \$12,360.98 |
| 06/21/01 | | \$23,471.67 | | | Transfer of funds from 1302 | | | \$35,832.65 |
| 06/21/01 | | \$22,599.50 | | | Transfer of funds from 1303 | | | \$58,432.15 |
| 06/21/01 | | | Brown & Caldwell | | | | \$34,068.01 | \$24,364.14 |
| 06/21/01 | | | Bigler Associates | | O&M Maintenance and Wellhead Level Monitoring | 52894 | \$24,000.00 | \$364.14 |
| 08/08/01 | SPS Technologies | \$240,000.00 | | | | | | \$240,364.14 |
| 08/16/01 | | | Brown & Caldwell | 282455, 282547, 292630 | | 53164 | \$70,424.10 | \$169,940.04 |
| 08/16/01 | | | de maximis, inc. | | Consulting Services | 53165 | \$13,867.98 | \$156,072.06 |
| 08/16/01 | | | Bigler Associates | 7040,7106,7131, 7205, and remaining portion of 6909 | | 53166 | \$48,477.56 | \$107,594.50 |
| 08/20/01 | | | | | Transfer of funds to 1302 | | \$23,471.67 | \$84,122.83 |
| 08/20/01 | | | | | Transfer of funds to 1303 | | \$22,599.50 | \$61,523.33 |
| 08/22/01 | Ford | \$240,000.00 | | | | | | \$301,523.33 |
| 09/05/01 | Cytec Industries | \$240,000.00 | | | | | | \$541,523.33 |
| 09/05/01 | | | Bigler Associates | | O&M Services | 53239 | \$72,195.21 | \$469,328.12 |
| 09/10/01 | Agere Systems | \$240,000.00 | | | | | | \$709,328.12 |
| 09/12/01 | | | de maximis, inc. | | | 53260 | \$29,841.72 | \$679,486.40 |
| 09/21/01 | | | Bigler Associates | | Partial Payment for Design & Construction of GES | 53312 | \$110,200.00 | \$569,286.40 |
| 09/26/01 | | | Bigler Associates | | O&M Services | 53324 | \$11,584.20 | \$557,702.20 |
| 10/01/01 | | | Brown & Caldwell | | OU-1 Remedial Design Services | 53343 | \$5,722.28 | \$551,979.92 |
| 10/03/01 | | | de maximis, inc. | | Consulting Services | 53355 | \$12,726.05 | \$539,253.87 |
| 10/16/01 | Worthington Industries | \$1,666.66 | | | | | | \$540,920.53 |
| 10/16/01 | Worthington Industries | \$80,000.00 | | | | 53465 | \$5,490.38 | \$620,920.53 |
| 10/26/01 | | | Brown & Caldwell | | | | | \$615,430.15 |
| 10/30/01 | Smiths Industries, Inc. | \$80,000.00 | | | | | | \$695,430.15 |
| 10/30/01 | Promistar Trust | \$80,000.00 | | | | | | \$775,430.15 |
| 11/07/01 | | | de maximis, inc. | | Consulting Services | 53506 | \$11,154.52 | \$764,275.63 |
| 11/21/01 | | | de maximis, inc. | | | 53564 | \$9,997.25 | \$754,278.38 |
| 11/21/01 | | | Brown & Caldwell | | OU-1 Remedial Design Work | 53565 | \$2,504.63 | \$751,773.75 |
| 11/21/01 | | | Bigler Associates | | OU-1 O&M | 53566 | \$13,370.32 | \$738,403.43 |

| | | | | | | | | |
|----------|------------------------|--------------|-------------------|------------------------|--|-------|--------------|--------------|
| 12/03/01 | | | Bigler Associates | | GW Treatment Plant Upgrade | 53595 | \$35,700.00 | \$702,703.43 |
| 12/19/01 | | | de maximis, inc. | 11262 | | 53691 | \$8,543.05 | \$694,160.38 |
| 12/31/01 | | | Pitney Hardin | | | 53781 | \$42,500.00 | \$651,660.38 |
| 01/02/02 | | | Bigler Associates | | O&M Services | 53782 | \$15,579.42 | \$636,080.96 |
| 01/11/02 | | | Brown & Caldwell | | | 53822 | \$17,043.09 | \$619,037.87 |
| 01/15/02 | | | | | Transfer of funds to 1305 | | \$66,826.98 | \$552,210.89 |
| 01/21/02 | | | de maximis, inc. | | | 53842 | \$7,649.50 | \$544,561.39 |
| 01/30/02 | Agere Systems | \$100,000.00 | | | | | | \$644,561.39 |
| 02/04/02 | | | Bigler Associates | | Upgrade GWS System | 53896 | \$6,500.00 | \$638,061.39 |
| 02/04/02 | Cytec Industries | \$100,000.00 | | | | | | \$738,061.39 |
| 02/05/02 | Ford | \$100,000.00 | | | | | | \$838,061.39 |
| 02/13/02 | | | Bigler Associates | | O&M Services | 53921 | \$10,598.89 | \$827,462.50 |
| 02/13/02 | | | Brown & Caldwell | | Remedial Design Services | 53922 | \$30,589.40 | \$796,873.10 |
| 02/13/02 | SPS Technologies | \$100,000.00 | | | | | | \$896,873.10 |
| 02/18/02 | | | Bigler Associates | | O&M Services | 53943 | \$25,663.27 | \$871,209.83 |
| 02/25/02 | | | Bigler Associates | | O&M Services | 53961 | \$42,101.30 | \$829,108.53 |
| 03/04/02 | Worthington Industries | \$33,333.33 | | | | | | \$862,441.86 |
| 03/05/02 | | | de maximis, inc. | | O&M Oversight Activities | 53982 | \$3,741.16 | \$858,700.70 |
| 03/15/02 | First National Trust | \$33,333.33 | | | | | | \$892,034.03 |
| 03/20/02 | | | Brown & Caldwell | | 1st Round Sampling | 54033 | \$35,933.35 | \$856,100.68 |
| 03/22/02 | | | de maximis, inc. | | O&M Oversight Activities | 54047 | \$10,381.79 | \$845,718.89 |
| 03/28/02 | | | Bigler Associates | 2nd,3rd, 4th, payments | Upgrade GWS System | 54090 | \$299,880.00 | \$545,838.89 |
| 04/04/02 | | | Bigler Associates | | O&M Services | 54108 | \$10,198.08 | \$535,640.81 |
| 04/08/02 | | | Bigler Associates | 5th payment | Upgrade GWS System | 54122 | \$92,340.00 | \$443,300.81 |
| 04/15/02 | | | Brown & Caldwell | | OU-1 Remedial Design Activities | 54157 | \$11,136.11 | \$432,164.70 |
| 04/18/02 | | | Bigler Associates | 6th payment | Upgrade GWS System | 54179 | \$85,680.00 | \$346,484.70 |
| 05/16/02 | | | Brown & Caldwell | | | 54293 | \$20,386.44 | \$326,098.26 |
| 05/16/02 | | | Bigler Associates | | O&M Services | 54294 | \$11,529.50 | \$314,568.76 |
| 05/17/02 | | | de maximis, inc. | | | 54302 | \$16,560.33 | \$298,008.43 |
| 06/03/02 | | | Bigler Associates | | O&M Services | 54383 | \$9,754.38 | \$288,254.05 |
| 06/06/02 | | | Bigler Associates | Final payment | Upgrade GWS System | 54389 | \$55,600.00 | \$232,654.05 |
| 06/10/02 | Smith Industries | \$33,333.33 | | | | | | \$265,987.38 |
| 06/14/02 | | | Brown & Caldwell | | | 54421 | \$7,830.44 | \$258,156.94 |
| 07/09/02 | | | Brown & Caldwell | | | 54533 | \$661.17 | \$257,495.77 |
| 07/09/02 | | | Bigler Associates | | O&M Services | 54534 | \$24,089.06 | \$233,406.71 |
| 07/22/02 | | | de maximis, inc. | | | 54580 | \$11,013.42 | \$222,393.29 |
| 07/30/02 | Ford | \$30,000.00 | | | | | | \$252,393.29 |
| 08/02/02 | | | de maximis, inc. | 020654 | Project Coordination and Oversight of O&M activities | 54604 | \$10,393.60 | \$241,999.69 |
| 08/02/02 | SPS Technologies | \$30,000.00 | | | | | | \$271,999.69 |
| 08/16/02 | Cytec Industries | \$30,000.00 | | | | | | \$301,999.69 |

| | | | | | | | | |
|----------|------------------------|-------------|-------------------|---------|--|--|-------------|--------------|
| 08/20/03 | Bundy Corp. | \$10,000.00 | | | | | | \$311,999.69 |
| 08/26/02 | NRM Investment | \$10,000.00 | | | | 7th Assessment | | \$321,999.69 |
| 09/04/02 | | | Brown & Caldwell | 284015 | Activities | 54717 | \$19,359.17 | \$302,640.52 |
| 09/04/02 | | | Brown & Caldwell | 284144 | Activities | 54718 | \$9,915.89 | \$292,724.63 |
| 09/04/02 | | | Bigler Associates | 8216 | O&M Services | 54719 | \$17,515.65 | \$275,208.98 |
| 09/11/02 | Worthington Industries | \$10,000.00 | | | | 7th Assessment | | \$285,208.98 |
| 09/13/02 | | | de maximis, inc. | 020767 | Project Coordination and Oversight of O&M activities | 54748 | \$7,048.00 | \$278,160.98 |
| 09/13/02 | | | de maximis, inc. | 020876 | Project Coordination and Oversight of O&M activities | 54751 | \$6,956.76 | \$271,204.22 |
| 10/01/02 | Agere Systems | \$30,000.00 | | | | 7th Assessment | | \$301,204.22 |
| 10/10/02 | | | Bigler Associates | 8149 | O&M Services | 54840 | \$22,606.08 | \$278,598.14 |
| 10/25/02 | | \$66,826.98 | | | | Transfer from 1305 to 1301 for 1/15/02 transaction | | \$345,425.12 |
| 10/31/02 | | | de maximis, inc. | 20996 | Project Coordination and Oversight of O&M activities | 54882 | \$11,111.75 | \$334,313.37 |
| 10/31/02 | | | de maximis, inc. | 21109 | Project Coordination and Oversight of O&M activities | 54883 | \$5,951.83 | \$328,361.54 |
| 10/31/02 | | | Bigler Associates | 8258 | O&M Services | 54884 | \$17,287.70 | \$311,073.84 |
| 11/14/02 | | | Bigler Associates | 8352 | O&M Services | 54930 | \$17,846.43 | \$293,227.41 |
| 11/14/02 | | | Brown & Caldwell | 284259 | OU-1 Remedial Design Services | 54927 | \$9,666.07 | \$283,561.34 |
| 11/14/02 | | | Brown & Caldwell | 284367 | OU-1 Remedial Design Services | 54928 | \$6,117.75 | \$277,443.59 |
| 12/09/02 | Cytec Industries | \$5,921.33 | | | | | | \$283,364.92 |
| 12/11/02 | | | Pitney Hardin | 2003427 | | 55062 | \$5,921.33 | \$277,443.59 |
| 12/18/02 | | | Pitney Hardin | 2004469 | SPS Authorized Share for OU-1 services rendered 12/00-6/01 | 55114 | \$6,208.47 | \$271,235.12 |
| 12/19/02 | | | Pitney Hardin | 2004469 | Worthington Authorized Share for OU-1 services rendered 12/00-6/01 | | \$2,069.49 | \$269,165.63 |
| 12/23/02 | | | Pitney Hardin | 2004470 | SPS Authorized Share for OU-2 Services rendered 12/00-6/01 | | \$4,801.58 | \$264,364.05 |
| 12/31/02 | | | Pitney Hardin | 2004469 | NRM's Authorized Share for OU-1 Services rendered 12/00-6/01 | 55169 | \$2,069.49 | \$262,294.56 |
| 01/06/03 | | | Bigler Associates | 8440 | O&M Services | | \$12,924.58 | \$249,369.98 |
| 01/06/03 | | | de maximis, inc. | 21219 | Project Coordination and Oversight of O&M activities | | \$7,145.79 | \$242,224.19 |

| | | | | | | |
|----------|-------------------|--------|--|-------|-------------|--------------|
| 01/28/03 | Brown & Caldwell | 284597 | OU-1 Remedial Design Services | 55262 | \$7,904.71 | \$234,319.48 |
| 01/31/03 | Brown & Caldwell | 284476 | OU-1 Remedial Design Services | 55296 | \$3,072.74 | \$231,246.74 |
| 01/31/03 | de maximis, inc. | 21329 | Project Coordination and Oversight of O&M activities | 55297 | \$6,412.07 | \$224,834.67 |
| 01/31/03 | Bigler Associates | 8520 | O&M Services | 55295 | \$12,120.14 | \$212,714.53 |
| 02/12/03 | Brown & Caldwell | 284739 | OU-1 Remedial Design Services | 55347 | \$13,309.12 | \$199,405.41 |
| 02/13/03 | Bigler Associates | 8552 | O&M Services | 55364 | \$14,647.64 | \$184,757.77 |
| 02/13/03 | de maximis, inc. | 30087 | Project Coordination and Oversight of O&M activities | 55363 | \$3,898.16 | \$180,859.61 |
| 03/14/03 | de maximis, inc. | 30203 | Project Coordination and Oversight of O&M activities | 55517 | \$4,429.97 | \$176,429.64 |
| 03/21/03 | Brown & Caldwell | 284869 | OU-1 Remedial Design Services | 55531 | \$1,042.08 | \$175,387.56 |
| 04/04/03 | Brown & Caldwell | 285134 | O&M Services | 55614 | \$9,697.98 | \$165,689.58 |
| 04/07/03 | Bigler Associates | 8748 | O&M Services | 55617 | \$13,642.26 | \$152,047.32 |
| 05/01/03 | de maximis, inc. | 30312 | Project Coordination and Oversight of O&M activities | 55672 | \$5,099.87 | \$146,947.45 |
| 05/01/03 | Bigler Associates | 8679 | O&M Services | 55671 | \$14,634.20 | \$132,313.25 |
| 05/13/03 | Bigler Associates | 8828 | O&M Services | 55715 | \$15,470.89 | \$116,842.36 |
| 05/13/03 | Brown & Caldwell | 285146 | OU-1 Remedial Design Services | 55716 | \$20,889.14 | \$95,953.22 |
| 05/13/03 | de maximis, inc. | 30427 | Project Coordination and Oversight of O&M activities | 55714 | \$3,080.72 | \$92,872.50 |
| 06/13/03 | de maximis, inc. | 30540 | Project Coordination and Oversight of O&M activities | 55874 | \$2,867.04 | \$90,005.46 |
| 06/13/03 | Bigler Associates | 8922 | O&M Services | 55873 | \$17,365.61 | \$72,639.85 |
| 06/13/03 | Brown & Caldwell | 285274 | OU-1 Remedial Design Services | 55872 | \$3,311.58 | \$69,328.27 |
| 06/13/03 | | | | | | \$69,328.27 |
| 08/07/03 | M M W & R | | Transfer of funds to MMWR (electronically) | WT | \$69,328.27 | \$0.00 |

| 1304: OU-2 ROD/RA Technical | | | | | | | |
|-----------------------------|------------------|-------------|-------------------|-------------|--|-----------|--------------|
| DATE | RECEIPTS | | DISBURSEMENTS | | Description | Check No. | BALANCE |
| | Contributor | Amount | Payee | Invoice No. | | | |
| | | | | | | | \$81,250.00 |
| 01/03/02 | Ford | \$61,250.00 | | | | | \$122,500.00 |
| 01/07/02 | Cytec Industries | \$61,250.00 | | | | | \$183,750.00 |
| 01/09/02 | SPS Technologies | \$61,250.00 | | | | | \$181,927.50 |
| 01/11/02 | | | Brown & Caldwell | | | 53823 | \$181,927.50 |
| 01/21/02 | | | de maximis, inc. | | | 53843 | \$179,982.89 |
| 02/13/02 | | | Brown & Caldwell | | | 53920 | \$163,276.24 |
| 02/25/02 | | | Bigler Associates | | Electrical System Upgrade | 53962 | \$159,476.24 |
| 02/25/02 | | | Brown & Caldwell | | Submission of RDWP | 53963 | \$154,884.33 |
| 03/05/02 | | | de maximis, inc. | | | 53983 | \$154,201.83 |
| 03/18/02 | | \$5,000.00 | | | Check from PHKS Oper. Account | | \$159,201.83 |
| 03/20/02 | | | Brown & Caldwell | | | 54032 | \$158,228.14 |
| 03/22/02 | | | de maximis, inc. | | | 54046 | \$156,032.58 |
| 04/15/02 | | | Brown & Caldwell | | | 54156 | \$147,844.63 |
| 05/06/02 | Agere Systems | \$20,000.00 | | | | | \$167,844.63 |
| 05/16/02 | | | Brown & Caldwell | | | 54295 | \$163,973.45 |
| 05/17/02 | | | de maximis, inc. | | | 54301 | \$159,527.74 |
| 06/10/02 | Smith Industries | \$61,250.00 | | | | | \$220,777.74 |
| 06/14/02 | | | Brown & Caldwell | | | 54422 | \$210,893.54 |
| 07/09/02 | | | Brown & Caldwell | | | 54535 | \$202,333.56 |
| 07/22/02 | | | de maximis, inc. | | | 54579 | \$201,217.93 |
| 08/02/02 | | | de maximis, inc. | 020655 | OU-2 Project Coordination | 54605 | \$197,751.85 |
| 08/04/02 | | | Brown & Caldwell | 284192 | OU-2 Remedial Design Activities | 54720 | \$189,394.59 |
| 09/04/02 | | | Brown & Caldwell | 284062 | OU-2 Remedial Design Activities | 54721 | \$164,377.61 |
| 09/13/02 | | | de maximis, inc. | 020768 | OU-2 Project Coordination | 54750 | \$161,226.14 |
| 09/13/02 | | | de maximis, inc. | 020877 | OU-2 Project Coordination | 54749 | \$157,866.61 |
| 10/31/02 | | | de maximis, inc. | 020997 | OU-2 Project Coordination | 54887 | \$152,745.63 |
| 10/31/02 | | | de maximis, inc. | 02110 | OU-2 Support and Project Coordination | 54886 | \$148,226.92 |
| 10/31/02 | | | Brown & Caldwell | 284297 | OU-2 Remedial Design Activities | 54895 | \$142,888.41 |
| 11/14/02 | | | Brown & Caldwell | 21855 | OU-2 Remedial Design Activities | 54929 | \$99,231.52 |
| 12/09/02 | Cytec Industries | \$9,101.24 | | | | | \$108,332.76 |
| 12/11/02 | | | PHK&S | 2003428 | | 55063 | \$99,231.52 |
| 12/30/02 | Cytec Industries | \$1,190.87 | | | | | \$100,422.39 |
| 12/30/02 | | | PHK&S | 2008728 | | 55161 | \$99,231.52 |
| 01/06/03 | | | de maximis, inc. | 021220 | Project Coordination | | \$94,147.93 |
| 01/28/03 | | | Brown & Caldwell | 284634 | OU-2 Remedial Design Activities | 55263 | \$85,927.12 |
| 01/31/03 | | | de maximis, inc. | 021330 | OU-2 Project Coordination | 55292 | \$76,541.02 |
| 01/31/03 | | | Brown & Caldwell | 284513 | OU-2 Remedial Design Activities | 55293 | \$58,260.48 |
| 02/12/03 | | | de maximis, inc. | 030068 | OU-2 Project Coordination | 55344 | \$48,278.00 |
| 03/14/03 | | | Brown & Caldwell | 284775 | OU-2 Remedial Design Activities | 55515 | \$44,281.86 |
| 03/14/03 | | | de maximis, inc. | 030204 | OU-2 Project Coordination | 55516 | \$37,715.70 |
| 04/07/03 | | | Brown & Caldwell | 284901 | OU-2 Remedial Design Activities | 55615 | \$36,287.28 |
| 04/07/03 | | | Brown & Caldwell | 285025 | OU-2 Remedial Design Activities | 55616 | \$34,787.09 |
| 05/01/03 | | | de maximis, inc. | 030313 | OU-2 Project Coordination | 55673 | \$26,915.70 |
| 05/13/03 | | | de maximis, inc. | 030428 | OU-2 Project Coordination | 55713 | \$17,975.13 |
| 05/13/03 | | | Brown & Caldwell | 285166 | OU-2 Remedial Design Activities | 55712 | \$11,943.42 |
| 06/13/03 | | | Brown & Caldwell | 285293 | OU-2 Remedial Design Activities | 55871 | \$4,033.44 |
| 07/24/03 | | | MMWR | | Transfer of funds to MMWR (electronically) | WT | \$0.00 |

| 1305: OU-1 EPA Reimbursements | | | | | | | | |
|-------------------------------|------------------------|----------------|---------------|-------------|---|-----------|----------------|----------------|
| RECEIPTS | | | DISBURSEMENTS | | Description | Check No. | Amount | BALANCE |
| DATE | Contributor | Amount | Payee | Invoice No. | | | | |
| 01/03/02 | Ford | \$84,534.32 | | | | | | \$84,534.32 |
| 01/07/02 | Cytec Industries | \$84,534.32 | | | | | | \$169,068.64 |
| 01/09/02 | SPS Technologies | \$84,534.32 | | | | | | \$253,602.96 |
| 01/09/02 | Agere Systems, Inc. | \$84,534.32 | | | | | | \$338,137.28 |
| 01/15/02 | | \$66,826.98 | | | Transfer of funds from 1301 | | | \$404,964.26 |
| 01/15/02 | | | EPA | | Future Response Costs | 53824 | \$404,964.26 | \$0.00 |
| 03/04/02 | Worthington Industries | \$28,178.11 | | | | | | \$28,178.11 |
| 03/15/02 | NRM Investment | \$28,178.11 | | | | | | \$56,356.22 |
| 04/05/02 | | | EPA | | Remaining Future Response Costs | 54120 | \$10,688.48 | \$45,667.74 |
| 04/25/02 | Chase Bank of Texas | \$1,750,000.00 | | | | | | \$1,795,667.74 |
| 05/08/02 | SPS Technologies | \$1,750,000.00 | | | | | | \$3,545,667.74 |
| 05/30/02 | Ford | \$15,750.00 | | | | | | \$3,577,167.74 |
| 05/31/02 | SPS Technologies | \$15,750.00 | | | | | | \$5,327,167.74 |
| 06/10/02 | Cytec Industries | \$1,750,000.00 | | | | | | \$7,105,345.85 |
| 06/11/02 | Smith Industries | \$1,778,178.11 | | | | | | \$7,113,145.85 |
| 06/12/02 | Ford | \$7,800.00 | | | | | \$7,000,000.00 | \$113,145.85 |
| 06/17/02 | | | EPA | | Pasts Costs | 54436 | \$62,962.06 | \$50,183.79 |
| 06/17/02 | | | EPA | | | | | \$57,983.79 |
| 06/17/02 | Cytec Industries | \$7,800.00 | | | | | | \$73,733.79 |
| 06/17/02 | Cytec Industries | \$15,750.00 | | | | | | \$76,333.79 |
| 06/18/02 | Smith Industries | \$2,600.00 | | | | | | \$92,083.79 |
| 06/18/02 | Smith Industries | \$15,750.00 | | | | | | \$99,883.79 |
| 06/25/02 | SPS Technologies | \$7,800.00 | | | Transfer funds to 1306 | | \$37.94 | \$99,845.85 |
| 06/26/02 | | | | | Future Response Costs | | \$38,993.30 | \$60,852.55 |
| 07/09/02 | | | EPA | | | | | \$68,652.55 |
| 07/31/02 | Agere Systems, Inc. | \$7,800.00 | | | OU-1 Future Response Costs | | | \$71,252.55 |
| 08/26/02 | NRM Investment | \$2,600.00 | | | Transfer funds to 1301 | | \$66,826.98 | \$4,425.57 |
| 10/27/02 | | | | | Transfer funds to MMWR (electronically) | | \$4,425.57 | \$0.00 |
| 08/07/03 | | | MMWR | | | | | |

| | | | | | | | | |
|--------------------------------------|--------------------|---------------|----------------------|--------------------|--|------------------|---------------|----------------|
| 1306: OU-2 EPA Reimbursements | | | | | | | | |
| RECEIPTS | | | DISBURSEMENTS | | | | | |
| DATE | Contributor | Amount | Payee | Invoice No. | Description | Check No. | Amount | BALANCE |
| 06/26/02 | | \$37.94 | | | Transfer of funds from 1305 | | | \$37.94 |
| 07/24/03 | | | MMWR | | Transfer of funds to MMWR (electronically) | | \$37.94 | \$0.00 |

EXHIBIT C

Harris, Glenn A. (VH)

From: Harris, Glenn A. (VH)
Sent: Wednesday, September 15, 2004 9:47 AM
To: A. Nicole Friant (E-mail); Adina Marie Bingham (E-mail); Andrew P. Foster (E-mail); Edward Fackenthal (E-mail); Lynn Wright; Melissa Flax (E-mail); Richard C. Biedrzycki (E-mail); Robert M. Morris (E-mail); Seth v. d. H. Cooley (E-mail); Stephen P. Chawaga (E-mail); Thomas W. Sabino (E-mail)
Cc: New, Michelle (Phila)
Subject: Boarhead - BHF OU-1 Invoice Index Table



BHF OU-1 Invoice
Index Table.p...

colleagues,

Attached is the first half of the de maximis spreadsheet posting the costs reflected on each invoice to a budgeted RA task mentioned in my cover letter yesterday to the Agreement Group's responses to outstanding discovery requests. A second email with the OU-2 Table will follow.

Hard copies of these tables are being placed in the Repository along with copies of the underlying documents.

Regards,

Glenn

Glenn A. Harris
Ballard Spahr Andrews & Ingersoll, LLP
856-761-3440
harrisg@ballardspahr.com

Boathead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/RAO&M Activities
Prepared by de maximis, inc.
10/04/03

| Contractor | de maximis | de maximis | de maximis | de maximis | de maximis | de maximis | de maximis | de maximis | de maximis | Bigler | Bigler | Bigler | B&C | de maximis | B&C | B&C | de maximis | Bigler | B&C |
|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 990689 | 990773 | 990875 | 990985 | 991083 | 991185 | 991287 | 991389 | 991491 | 991593 | 991695 | 991797 | 991899 | 991901 | 992003 | 992105 | 992207 | 992309 | 992411 |
| Date of Invoice | 07/26/1999 | 08/10/1999 | 09/10/1999 | 10/14/1999 | 11/08/1999 | 12/07/1999 | 01/12/2000 | 02/10/2000 | 03/11/2000 | 12/23/1999 | 02/02/2000 | 03/14/2000 | 03/29/2000 | 04/09/2000 | 04/21/2000 | 05/19/2000 | 05/17/2000 | 06/22/2000 | 06/13/2000 |
| Eckenfelder/Brown & Caldwell | | | | | | | | | | | | | 2305.52 | | 81.38 | 1486.94 | | | 2804.62 |
| 1.1 Project Meetings and Conference Calls | | | | | | | | | | | | | 6094.26 | | 5807.36 | 3054.77 | | | 3132.83 |
| 1.2 Preparation of Project Plans | | | | | | | | | | | | | 0 | | 0 | | | | 0 |
| 1.3. Evaluation/Development of Discharge Limits | | | | | | | | | | | | | 0 | | 0 | | | | 1620.11 |
| 1.3.1 Work Plan/Presentation to DEP | | | | | | | | | | | | | 0 | | 0 | | | | |
| 1.3.2 WP Implementation/Final Report | | | | | | | | | | | | | 0 | | 0 | | | | |
| 1.4 RD of ROD Component 4 | | | | | | | | | | | | | 0 | | 0 | | | | |
| 1.5 RD of ROD Component 5 (Inst. Controls/Monitoring) | | | | | | | | | | | | | 0 | | 0 | | | | 6737.65 |
| 1.5.1 Development of LTMP | | | | | | | | | | | | | 0 | | 0 | | | | |
| 1.5.2 Dev. Of GW Database/GIS | | | | | | | | | | | | | 0 | | 0 | | | | |
| 1.5.3 Monitoring Trend Analysis | | | | | | | | | | | | | 0 | | 0 | 369.21 | | | 220 |
| 1.5.4 Institutional Control Analysis | | | | | | | | | | | | | 0 | | 0 | | | | 369 |
| 1.6 RD of ROD Component 6 (Residential Wells) | | | | | | | | | | | | | 0 | | 0 | | | | 233 |
| 1.7 RD for Air Emissions Control | | | | | | | | | | | | | 297 | | 0 | | | | |
| 1.8 Phytoremediation Treatability Study | | | | | | | | | | | | | | | | | | | |
| Residential Well Program (added 4/13/00) | | | | | | | | | | | | | | | | | | | |
| Spring 2001 Public Meeting (added 2/6/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Sampling Plan (added 1/30/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Monitoring (added 2/21/01) | | | | | | | | | | | | | | | | | | | |
| Extraction Well and RW-34 Sampling (added 6/12/2001) | | | | | | | | | | | | | | | | | | | |
| Supplemental GW Investigation (Plume Delineation Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| GIS Database Management (Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| First Event - Long-Term Monitoring Plan (LTMP) Sampling October 2001 | | | | | | | | | | | | | | | | | | | |
| February 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| June 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| Well MW-38 Replacement (Added 3/15/02) | | | | | | | | | | | | | | | | | | | |
| 2002/2003 Annual Monitoring Program (Added 11/02) | | | | | | | | | | | | | | | | | | | |
| 2003/2004 Annual Monitoring Program (Added 12/03) | | | | | | | | | | | | | | | | | | | |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | | | | | | | | | | | | | | | | | | | |
| Groundwater Modeling (Added 1/04) | | | | | | | | | | | | | 8896.78 | 0 | 5688.74 | 4910.92 | 0 | 0 | 15417.21 |
| Subtotal Remedial Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8896.78 | 0 | 5688.74 | 4910.92 | 0 | 0 | 15417.21 |
| Bigler Associates | | | | | | | | | | | | | | | | | | | |
| Treatment Plant Pilot Study/Conceptual Design | | | | | | | | | | 2195 | --- | --- | | | | | | | |
| Task 1 - Review Existing Information and Data | | | | | | | | | | 1225 | --- | --- | | | | | | | |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | | | | | | | | | 7545 | 5599.5 | --- | | | | | | | |
| Task 3 - Bench Scale Testing | | | | | | | | | | 4035 | 3512.98 | --- | | | | | | | |
| Task 4 - Summary Report | | | | | | | | | | 15060 | 9112.48 | --- | | | | | | | |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Remedial Design (Bigler Associates) | | | | | | | | | | --- | --- | 4000 | | | | | | | |
| Remedial Design Work Plan (RDWP) | | | | | | | | | | --- | --- | 4000 | | | | | | | |
| Quality Assurance Project Plan (QAPP) | | | | | | | | | | | | 8000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Remedial Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Subtotal Remedial Design Project Plans | | | | | | | | | | | | | | | | | | | |
| Groundwater Extraction System Modification (Bigler) | | | | | | | | | | | | | | | | | | | |
| Groundwater Treatment System Upgrade (Bigler) | | | | | | | | | | | | | | | | | | | |
| Existing Treatment Plant O&M | | | | | | | | | | | | | | | | | | | 2588.75 |
| May (first month of O&M) | | | | | | | | | | | | | | | | | | | |
| June - December, 2000 (@ \$ 13000/mo) | | | | | | | | | | | | | | | | | | | |
| January, 2001 - May 2002 | | | | | | | | | | | | | | | | | | | |
| May 2002 - Current | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2588.75 | 0 |
| Subtotal Treatment Plant O&M (2000-Current) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2588.75 | 0 |
| de maximis, inc. (Project Coordinator) | 3757.44 | 5199.61 | 273 | 1037.41 | 5480.48 | 4570.81 | 5815.35 | 7344.5 | 3923.3 | 0 | 0 | 0 | 0 | 5219.78 | 0 | 0 | 8249.84 | 0 | 0 |
| de maximis, inc. (O&M Oversight Through May 2002) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| de maximis, inc. (O&M Oversight May 2002 - Current) | | | | | | | | | | | | | | | | | | | |
| de maximis, inc. (OU 2 Evaluation) | | | | | | | | | | | | | | | | | | | |
| Project Totals | 3757.44 | 5199.61 | 273 | 1037.41 | 5480.48 | 4570.81 | 5815.35 | 7344.5 | 3923.3 | 12000 | 9112.48 | 8000 | 8896.78 | 5219.78 | 5688.74 | 4910.92 | 8249.84 | 2588.75 | 15417.21 |

Notes:

- de maximis' costs to date do not include costs prior to January 1, 2000 (when Eckenfelder/Bigler were retained), which total \$ 20,318.75
- de maximis' O&M Oversight line item added in August 2000

Boerhead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/RA/O&M Activities
Prepared by de maximis, inc.
10/04/03

| Contractor | de maximis | Bigler | Bigler | Bigler | de maximis | B&C | B&C | de maximis | Bigler | de maximis | Bigler | B&C | de maximis | Bigler | B&C | de maximis | Bigler | B&C | Bigler |
|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 635 | #6206 | #6206 | #6206 | 765 | #281735 | #281762 | 671 | #63392 | 989 | #63392 | 281845 | 1101 | #63392 | 281913 | 282005 | 64117 | 282092 | 6660 |
| Date of Invoice | 06/20/2000 | 06/20/2000 | 07/14/2000 | 07/15/2000 | 07/25/2000 | 07/28/2000 | 08/10/2000 | 08/10/2000 | 08/14/2000 | 09/14/2000 | 08/01/2000 | 08/18/2000 | 10/11/2000 | 10/11/2000 | 10/28/2000 | 11/17/2000 | 11/17/2000 | 12/15/2000 | 12/15/2000 |
| Eckstein/Brown & Caldwell | | | | | | 1192.54 | 4845.52 | | | | | 1097.4 | | | 764.85 | 362.24 | | 3873.55 | |
| 1.1 Project Meetings and Conference Calls | | | 1641.25 | | | | | | | | | | | | | | | | |
| 1.2 Preparation of Project Plans | | | | | | | | | | | | | | | | | | | |
| 1.2A Optional 60% Submittal | | | | | | | | | | | | | | | 564.71 | 2737.96 | | 891.26 | |
| 1.3 Evaluation/Development of Discharge Limits | | | | | | | | | | | | 2212.76 | | | | | | | |
| 1.3.1 Work Plan/Presentation to DEP | | | | | | 7087.95 | 8976.72 | | | | | | | | | | | | |
| 1.3.2 WP Implementation/Final Report | | | | | | | | | | | | | | | | | | | |
| 1.4 ROD of ROD Component 4 | | | | | | | | | | | | | | | | | | | |
| 1.5 ROD of ROD Component 5 (Inst. Controls/Monitoring) | | | | | | | | | | | | | | | | | | | |
| 1.5.1 Development of LTMP | | | | | | 11746.74 | 14605 | | | | | 2270.12 | | | 5112.5 | 2996.88 | | 7526.72 | |
| 1.5.2 Dev. Of GW Database/GIS | | | | | | | | | | | | | | | | | | | |
| 1.5.3 Monitoring Trend Analysis | | | | | | | | | | | | | | | | | | | |
| 1.5.4 Institutional Control Analysis | | | | | | | | | | | | 68.34 | | | | | | | |
| 1.6 ROD of ROD Component 5 (Residential Wells) | | | | | | 1872.65 | 200.88 | | | | | 118.55 | | | | | | | |
| 1.7 ROD for Air Emissions Control | | | | | | 2825.76 | 1878.83 | | | | | 8221.67 | | | 1712.37 | 2056.09 | | 2263.87 | |
| 1.8 Phytoremediation Feasibility Study | | | | | | 2288.57 | 7386.22 | | | | | | | | | | | | |
| Residential Well Program (added 4/13/00) | | | | | | | | | | | | | | | | | | | |
| Spring 2001 Public Meeting (added 2/6/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Sampling Plan (added 1/30/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Monitoring (added 2/21/01) | | | | | | | | | | | | | | | | | | | |
| Extraction Well and RW-34 Sampling (added 6/12/2001) | | | | | | | | | | | | | | | | | | | |
| Supplemental GW Investigation (Plume Delineation Added 8/9/00) | | | | | | | | | | | | | | | | | | | |
| GIS/Database Management (Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| First Event - Long Term Monitoring Plan (L TMP) Sampling October | | | | | | | | | | | | | | | | | | | |
| February 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| June 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| Well MW-36 Replacement (Added 3/15/02) | | | | | | | | | | | | | | | | | | | |
| 2002/2003 Annual Monitoring Program (Added 11/02) | | | | | | | | | | | | | | | | | | | |
| 2003/2004 Annual Monitoring Program (Added 12/03) | | | | | | | | | | | | | | | | | | | |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | | | | | | | | | | | | | | | | | | | |
| Groundwater Modeling (Added 1/04) | | | | | | | | | | | | | | | | | | | |
| Subtotal Remedial Design | 0 | 0 | 1641.25 | 0 | 0 | 27014.19 | 37894.15 | 0 | 0 | 0 | 0 | 13988.84 | 0 | 0 | 8154.23 | 8153.17 | 0 | 14555.4 | 0 |
| Bigler Associates | | | | | | | | | | | | | | | | | | | |
| Treatment Plant Pilot Study/Conceptual Design | | | | | | | | | | | | | | | | | | | |
| Task 1 - Review Existing Information and Data | | | | | | | | | | | | | | | | | | | |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | | | | | | | | | | | | | | | | | | |
| Task 3 - Bench Scale Testing | | | | | | | | | | | | | | | | | | | |
| Task 4 - Summary Report | | | | | | | | | | | | | | | | | | | |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Remedial Design (Bigler Associates) | | | | | | | | | | | | | | | | | | | |
| Remedial Design Work Plan (RDWP) | | | | | | | | | | | | | | | | | | | |
| Quality Assurance Project Plan (QAPP) | | | | | | | | | | | | | | | | | | | |
| Remedial Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Subtotal Remedial Design Project Plans | | | | | | | | | | | | | | | | | | | |
| Groundwater Extraction System Modification (Bigler) | | | | | | | | | | | | | | | | | | | |
| Groundwater Treatment System Upgrade (Bigler) | | | | | | | | | | | | | | | | | | | |
| Existing Treatment Plant O&M | | 13712.89 | | 11252.16 | | | | | 14266.42 | | 26269.83 | | | 18568.78 | | | 24343.35 | | 13063.28 |
| May (first month of O&M) | | | | | | | | | | | | | | | | | | | |
| June - December, 2000 (@ \$ 13000/mo) | | | | | | | | | | | | | | | | | | | |
| January, 2001 - May 2002 | | | | | | | | | | | | | | | | | | | |
| May 2002 - Current | 0 | 13712.89 | 0 | 11252.16 | 0 | 0 | 0 | 0 | 14266.42 | 0 | 26269.83 | 0 | 0 | 18568.78 | 0 | 0 | 24343.35 | 0 | 13063.28 |
| Subtotal Treatment Plant O&M (2000-Current) | | | | | | | | | | | | | | | | | | | |
| de maximis, Inc. (Project Coordinator) | 8922.14 | 0 | 0 | 0 | 8490.34 | 0 | 0 | 7158.25 | 0 | 5177.88 | 0 | 0 | 3922.83 | 0 | 0 | 0 | 0 | 0 | 0 |
| de maximis, Inc. (O&M Oversight Through May 2002) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 472.5 | 0 | 5574.31 | 0 | 0 | 4823.88 | 0 | 0 | 0 | 0 | 0 | 0 |
| de maximis, Inc. (O&M Oversight May 2002 - Current) | | | | | | | | | | | | | | | | | | | |
| de maximis, Inc. (OU 2 Evaluation) | | | | | | | | 157.5 | 0 | 1041.61 | 0 | 0 | 2542.08 | 0 | 0 | 0 | 0 | 0 | 0 |
| Project Totals | 8922.14 | 13712.89 | 1641.25 | 11252.16 | 8490.34 | 27014.19 | 37894.15 | 7158.25 | 14266.42 | 11783.8 | 26269.83 | 13988.84 | 11268.57 | 18568.78 | 8154.23 | 8153.17 | 24343.35 | 14555.4 | 13063.28 |

Notes:
1. de maximis' costs to date do not include costs prior to January 1, 2
2. De maximis' O&M Oversight line item added in August 2000

Boardhead Farms Superfund Site
Cost Tracking For Operable Unit One RD/RA/O&M Activities
Prepared by de maximis, inc.
10/04/03

[illegible]

Notes:
1. de maximis' costs to date do not include costs prior to January 1, 2000
2. De maximis' O&M Oversight line item added in August 2000

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/RA/O&M Activities
Prepared by de maximis, inc.
10/04/03

| Contractor | de maximis | Bigler | Bigler | B&C | Bigler | Bigler | de maximis | Bigler | Bigler | Bigler | B&C | Bigler | B&C | de maximis | Bigler | Bigler | Bigler | de maximis | de maximis |
|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 10670 | 7131 | 7235 | 282630 | 7212 | 7211 | 10786 | 7251 | 7296 | 7291 | 282702 | 7344 | 282800 | 10903 | 7426 | 7527 | 7433 | 11025 | 11142 |
| Date of Invoice | 06/16/2001 | 06/12/2001 | 07/10/2001 | 07/13/2001 | 07/27/2001 | 07/27/2001 | 07/28/2001 | 07/28/2001 | 08/20/2001 | 08/20/2001 | 07/13/2001 | 08/11/2001 | 08/14/2001 | 08/10/2001 | 10/01/2001 | 10/01/2001 | 10/02/2001 | 10/25/2001 | 10/17/2001 |
| Eckenfelder/Brown & Caldwell | | | | 2452.55 | | | | | | | 4218.97 | | 721.36 | | | | | | |
| 1.1 Project Meetings and Conference Calls | | | | | | | | | | | | | | | | | | | |
| 1.2 Preparation of Project Plans | | | | | | | | | | | | | | | | | | | |
| 1.2A Optional 60% Submittal | | | | | | | | | | | | | | | | | | | |
| 1.3. Evaluation/Development of Discharge Limits | | | | | | | | | | | | | | | | | | | |
| 1.3.1 Work Plan/Presentation to DEP | | | | | | | | | | | | | | | | | | | |
| 1.3.2 WP Implementation/Final Report | | | | | | | | | | | | | | | | | | | |
| 1.4 RD of ROD Component 4 | | | | | | | | | | | | | | | | | | | |
| 1.5 RD of ROD Component 5 (Inst. Controls/Monitoring) | | | | | | | | | | | | | | | | | | | |
| 1.5.1 Development of LTMP | | | | | | | | | | | | | | | | | | | |
| 1.5.2 Dev. Of GW Database/GIS | | | | 1432.5 | | | | | | | 701.86 | | 2903.04 | | | | | | |
| 1.5.3 Monitoring Trend Analysis | | | | | | | | | | | | | | | | | | | |
| 1.5.4 Institutional Control Analysis | | | | | | | | | | | | | | | | | | | |
| 1.6 RD of ROD Component 6 (Residential Wells) | | | | | | | | | | | | | | | | | | | |
| 1.7 RD for Air Emissions Control | | | | | | | | | | | 675 | | 1865.98 | | | | | | |
| 1.8 Phytoremediation Treatability Study | | | | | | | | | | | | | | | | | | | |
| Residential Well Program (added 4/13/00) | | | | | | | | | | | | | | | | | | | |
| Spring 2001 Public Meeting (added 2/6/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Sampling Plan (added 1/30/01) | | | | | | | | | | | 126.45 | | | | | | | | |
| Interim Groundwater Monitoring (added 2/21/01) | | | | | | | | | | | | | | | | | | | |
| Extraction Well and RW-34 Sampling (added 6/12/2001) | | | | | | | | | | | | | | | | | | | |
| Supplemental GW Investigation (Pump Delineation Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| GIS/Database Management (Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| First Event - Long-Term Monitoring Plan (LTMP) Sampling October | | | | | | | | | | | | | | | | | | | |
| February 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| June 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| Well MW-38 Replacement (Added 3/15/02) | | | | | | | | | | | | | | | | | | | |
| 2002/2003 Annual Monitoring Program (Added 11/02) | | | | | | | | | | | | | | | | | | | |
| 2003/2004 Annual Monitoring Program (Added 12/03) | | | | | | | | | | | | | | | | | | | |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | | | | | | | | | | | | | | | | | | | |
| Groundwater Modeling (Added 1/04) | | | | | | | | | | | | | | | | | | | |
| Subtotal Remedial Design | 0 | 0 | 0 | 8831.17 | 0 | 0 | 0 | 0 | 0 | 0 | 5722.28 | 0 | 5490.36 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bigler Associates | | | | | | | | | | | | | | | | | | | |
| Treatment Plant Pilot Study/Conceptual Design | | | | | | | | | | | | | | | | | | | |
| Task 1 - Review Existing Information and Data | | | | | | | | | | | | | | | | | | | |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | | | | | | | | | | | | | | | | | | |
| Task 3 - Bench Scale Testing | | | | | | | | | | | | | | | | | | | |
| Task 4 - Summary Report | | | | | | | | | | | | | | | | | | | |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Remedial Design (Bigler Associates) | | | | | | | | | | | | | | | | | | | |
| Remedial Design Work Plan (RDWP) | | | | | | | | | | 13000 | | | | | | 13000 | 6500 | 0 | 0 |
| Quality Assurance Project Plan (QAPP) | | | | | | | | | | 13000 | | | | | | 13000 | 6500 | 0 | 0 |
| Remedial Design | 0 | 0 | 0 | 0 | 13000 | 0 | 0 | 0 | 0 | 13000 | 0 | 0 | 0 | 0 | 0 | 13000 | 6500 | 0 | 0 |
| Subtotal Remedial Design Project Plans | | | | | 0 | 48600 | 0 | 0 | 97200 | 0 | 0 | 0 | 0 | 0 | 16200 | 0 | 0 | 0 | 0 |
| Groundwater Extraction System Modification (Bigler) | | | | | | | | | | | | | | | | | | | |
| Groundwater Treatment System Upgrade (Bigler) | | | | | | | | | | | | | | | | | | | |
| Existing Treatment Plant O&M | | | | | | | | | | | | | | | | | | | |
| May (first month of O&M) | | | | | | | | | | | | | 11584.2 | | | | | | |
| June - December, 2000 (@ \$ 13000/mo) | | 15972.62 | 13997.88 | | | | | 10595.21 | | | | | | 0 | 0 | 0 | 0 | 0 | 0 |
| January, 2001 - May 2002 | | | | | | | | 10595.21 | 0 | 0 | 0 | 11584.2 | | | | | | | |
| May 2002 - Current | 0 | 15972.62 | 13997.88 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| Subtotal Existing Treatment Plant O&M (2000-Current) | | | | | | | | | | | | | | 10416.8 | 0 | 0 | 0 | 8566.27 | 8270 |
| de maximis, inc.(Project Coordinator) | 18189.11 | 0 | 0 | 0 | 0 | 0 | 6781.34 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2588.25 | 1727.28 |
| de maximis, inc.(O&M Oversight Through May 2002) | 3042.39 | 0 | 0 | 0 | 0 | 0 | 1708.88 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| de maximis, inc.(O&M Oversight May 2002 - Current) | | | | | | | 0 | | | | | | | 0 | 0 | | | 0 | 0 |
| de maximis, inc.(OU 2 Evaluation) | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | |
| Project Totals | 21431.5 | 15972.62 | 13997.88 | 8831.17 | 13000 | 48600 | 8416.22 | 10595.21 | 97200 | 13000 | 5722.28 | 11584.2 | 5490.36 | 12728.05 | 16200 | 13000 | 6500 | 11154.52 | 9987.25 |

Notes:

1. de maximis' costs to date do not include costs prior to January 1, 2
2. De maximis' O&M Oversight line item added in August 2000

Boardhead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/RA/O&M Activities
Prepared by de maximis, inc.
10/04/03

| Contractor | de maximis | Bigler | B&C | Bigler | B&C | Bigler | de maximis | Bigler | Bigler | B&C | Bigler | Bigler | de maximis | Bigler | Bigler | B&C | B&C | Bigler | de maximis |
|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 11262 | 7442 | 282851 | 7408 | 282908 | 7515 | 11379 | 7610 | 7670 | 283011 | 7731 | 7738 | 20089 | 7744 | 2143 | 283136 | 28 | 7752 | 20205 |
| Date of Invoice | 11/13/2001 | 10/11/2001 | 10/13/2001 | 10/13/2001 | 11/18/2001 | 10/31/2001 | 12/17/2001 | 12/18/2001 | 01/14/2002 | 11/19/2001 | 01/21/2002 | 01/21/2002 | 01/15/2002 | 01/31/2002 | 01/31/2002 | 01/25/2002 | 02/28/2002 | 02/15/2002 | 02/19/2002 |
| Eckenfelder/Brown & Caldwell | | | 1328.42 | | 4729.35 | | | | | 433.77 | | | | | | 71.84 | 76.02 | | |
| 1.1 Project Meetings and Conference Calls | | | | | | | | | | | | | | | | | | | |
| 1.2 Preparation of Project Plans | | | | | | | | | | | | | | | | | | | |
| 1.2A Optional 60% Submittal | | | | | | | | | | | | | | | | | | | |
| 1.3 Evaluation/Development of Discharge Limits | | | | | | | | | | | | | | | | | | | |
| 1.3.1 Work Plan/Presentation to DEP | | | | | | | | | | | | | | | | | | | |
| 1.3.2 WP Implementation/Final Report | | | | | | | | | | | | | | | | | | | |
| 1.4 ROD of ROD Component 4 | | | | | | | | | | | | | | | | | | | |
| 1.5 ROD of ROD Component 5 (Inst. Controls/Monitoring) | | | | | | | | | | | | | | | | | | | |
| 1.5.1 Development of LTMP | | | 1170.96 | | 67.5 | | | | | | | | | | | | | | |
| 1.5.2 Dev. Of GW Database/GIS | | | | | | | | | | | | | | | | | | | |
| 1.5.3 Monitoring Trend Analysis | | | | | | | | | | | | | | | | | | | |
| 1.5.4 Institutional Control Analysis | | | | | | | | | | | | | | | | | | | |
| 1.6 ROD of ROD Component 6 (Residential Walls) | | | | | | | | | | | | | | | | 1183.16 | | | |
| 1.7 ROD for Air Emissions Control | | | | | | | | | | | | | | | | | | | |
| 1.8 Phytoremediation Feasibility Study | | | 5.25 | | | | | | | 874.82 | | | | | | | | | |
| Residential Well Program (added 4/13/00) | | | | | | | | | | | | | | | | | | | |
| Spring 2001 Public Meeting (added 2/6/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Sampling Plan (added 1/30/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Monitoring (added 2/21/01) | | | | | | | | | | 9867.38 | | | | | | 10,416 | 135 | | |
| Extraction Well and RW-34 Sampling (added 6/12/2001) | | | | | 5537.65 | | | | | 2550.6 | | | | | | | 3922.41 | | |
| Supplemental GW Investigation (Plume Delineation Added 8/31/0) | | | | | 1620 | | | | | | | | | | | 17088.97 | 3039.75 | | |
| GIS/Database Management (Added 8/31/01) | | | | | 5068.58 | | | | | 10862.83 | | | | | | | | | |
| First Event - Long-Term Monitoring Plan (LTMP) Sampling October | | | | | | | | | | | | | | | | | | | |
| February 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| June 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| Well MW-38 Replacement (Added 3/15/02) | | | | | | | | | | | | | | | | | | | |
| 2002/2003 Annual Monitoring Program (Added 11/02) | | | | | | | | | | | | | | | | | | | |
| 2003/2004 Annual Monitoring Program (Added 12/03) | | | | | | | | | | | | | | | | | | | |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | | | | | | | | | | | | | | | | | | | |
| Groundwater Modeling (Added 1/04) | | | | | | | | | | | | | | | | | | | |
| Subtotal Remedial Design | 0 | 0 | 2504.83 | 0 | 17843.09 | 0 | 0 | 0 | 0 | 30589.4 | 0 | 0 | 0 | 0 | 0 | 28759.97 | 7173.38 | 0 | 0 |
| Bigler Associates | | | | | | | | | | | | | | | | | | | |
| Treatment Plant Pilot Study/Conceptual Design | | | | | | | | | | | | | | | | | | | |
| Task 1 - Review Existing Information and Data | | | | | | | | | | | | | | | | | | | |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | | | | | | | | | | | | | | | | | | |
| Task 3 - Bench Scale Testing | | | | | | | | | | | | | | | | | | | |
| Task 4 - Summary Report | | | | | | | | | | | | | | | | | | | |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Remedial Design (Bigler Associates) | | | | | | | | | | | | | | | | | | | |
| Remedial Design Work Plan (RDWP) | | | | | | | | | | | | 2250.89 | | | | 0 | 0 | 0 | 0 |
| Quality Assurance Project Plan (QAPP) | | | | | | | | | | | | 2250.89 | | | | 0 | 0 | 0 | 0 |
| Remedial Design | 0 | 0 | 0 | 6500 | 8506 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Subtotal Remedial Design Project Plans | 0 | 0 | 0 | 6500 | 8506 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Groundwater Extraction System Modification (Bigler) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 21500 | 0 | 0 | 90080 |
| Groundwater Treatment System Upgrade (Bigler) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| Existing Treatment Plant O&M | | | | | | | | | | | | | | | | | | | |
| May (first month of O&M) | | | | | | | | | | | | | | | | 13950.41 | | | |
| June - December, 2000 (@ \$13000/mo) | | 13370.32 | | | | 12617.9 | | 13045.37 | 10598.89 | | | | | | | 10950.41 | 0 | 0 | 0 |
| January, 2001 - May 2002 | | | | | | | | | | 0 | 0 | 0 | 0 | | | | | | |
| May 2002 - Current | 0 | 13370.32 | 0 | 0 | 0 | 12617.9 | 0 | 13045.37 | 10598.89 | 0 | 0 | 0 | | | | 3189.91 | 0 | 0 | 7734.21 |
| Subtotal Treatment Plant O&M (2000-Current) | | | | | | | | | | | | | | | | | | | |
| de maximis, inc. (Project Coordinator) | 7678.79 | 0 | 0 | 0 | 0 | 0 | 6113.88 | 0 | 0 | 0 | 0 | 0 | | | | 551.25 | 0 | 0 | 2647.58 |
| de maximis, inc./O&M Oversight Through May 2002 | 866.26 | 0 | 0 | 0 | 0 | 0 | 1535.64 | 0 | 0 | 0 | 0 | 0 | | | | | | | |
| de maximis, inc. (O&M Oversight May 2002 - Current) | | | | | | | | | | | | | | | | | | | |
| de maximis, inc./OU 2 Evaluation | 0 | | | | | | | | | | | | | | | | | | |
| Project Totals | 8543.05 | 13370.32 | 2504.83 | 6500 | 17043.09 | 12617.9 | 7648.3 | 13045.37 | 10598.89 | 30589.4 | 6400 | 2250.89 | 3741.16 | 10950.41 | 22500 | 28759.97 | 7173.38 | 90080 | 10381.79 |

Notes:

1. de maximis' costs to date do not include costs prior to January 1, 2
2. De maximis' O&M Oversight line item added in August 2000

Boathead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/RA/O&M Activities
Prepared by de maximis, inc.
1004/03

| Contractor | Begins | Begins | Begins | de maximis | B&C | Begins | Begins | de maximis | B&C | Begins | Begins | Begins | de maximis | Begins | B&C | Begins | B&C | de maximis | de maximis |
|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 7799 | 7820 | 7825 | 20323 | 283461 | 7887 | 7911 | 20435 | 283617 | 7970 | 7995 | 7972 | 20543 | 7902 | 283865 | 8078 | 283866 | 20654 | 20767 |
| Date of Invoice | 03/01/2002 | 03/12/2002 | 03/15/2002 | 03/16/2002 | 03/18/2002 | 03/18/2002 | 03/18/2002 | 04/10/2002 | 04/19/2002 | 03/29/2002 | 03/12/2002 | 04/09/2002 | 05/10/2002 | 05-15-2002 | 05/17/2002 | 06/13/2002 | 06/17/2002 | 06/23/2002 | 07/16/2002 |
| Eckert/Edwards/Brown & Caldwell | | | | | 204.42 | | | | 135.21 | | | | | | 2697.53 | | 226.78 | | |
| 1.1 Project Meetings and Conference Calls | | | | | | | | | | | | | | | | | | | |
| 1.2 Preparation of Project Plans | | | | | | | | | | | | | | | | | | | |
| 1.2A Optional 50% Submittal | | | | | | | | | | | | | | | | | | | |
| 1.3 Evaluation/Development of Discharge Limits | | | | | | | | | | | | | | | | | | | |
| 1.3.1 Work Plan/Presentation to DEP | | | | | | | | | | | | | | | | | | | |
| 1.3.2 WP Implementation/Final Report | | | | | | | | | | | | | | | | | | | |
| 1.4 RD of ROD Component 4 | | | | | | | | | | | | | | | 894.66 | | | | |
| 1.5 RD of ROD Component 5 (Inst. Controls/Monitoring) | | | | | | | | | 3025 | | | | | | | | | | |
| 1.5.1 Development of LTMP | | | | | | | | | | | | | | | | | | | |
| 1.5.2 Dev. Of GW Database/GIS | | | | | | | | | | | | | | | | | | | |
| 1.5.3 Monitoring Trend Analysis | | | | | | | | | | | | | | | | | | | |
| 1.5.4 Institutional Control Analysis | | | | | | | | | | | | | | | | | | | |
| 1.6 RD of ROD Component 6 (Residential Wells) | | | | | | | | | | | | | | | 187.86 | | | | |
| 1.7 RD for Air Emissions Control | | | | | | | | | | | | | | | | | | | |
| 1.8 Phytoremediation Feasibility Study | | | | | | | | | 1650.34 | | | | | | | | | | |
| Residential Well Program (added 4/13/00) | | | | | | | | | | | | | | | | | | | |
| Spring 2001 Public Meeting (added 2/6/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Sampling Plan (added 1/30/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Monitoring (added 2/21/01) | | | | | | | | | | | | | | | | | | | |
| Extraction Well and RW-34 Sampling (added 6/12/2001) | | | | | | | | | | | | | | | 1548.51 | | 10.5 | | |
| Supplemental GW Investigation (Plume Delineation Added 8/31/01) | | | | | 2808.18 | | | | 6672.89 | | | | | | | | | | |
| GIS/Database Management (Added 8/31/01) | | | | | | | | | 8703 | | | | | | 1106.09 | | 13.41 | | |
| First Event - Long-Term Monitoring Plan (LTMP) Sampling October | | | | | 8123.51 | | | | | | | | | | 1395.79 | | 342.98 | | |
| February 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| June 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| Well RW-38 Replacement (Added 3/15/02) | | | | | | | | | | | | | | | | | | | |
| 2002/2003 Annual Monitoring Program (Added 11/02) | | | | | | | | | | | | | | | | | | | |
| 2003/2004 Annual Monitoring Program (Added 12/03) | | | | | | | | | | | | | | | | | | | |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | | | | | | | | | | | | | | | 7830.44 | 0 | 661.17 | 0 | 0 |
| Groundwater Modeling (Added 1/04) | | | | | | | | | | | | | | | | | | | |
| Subtotal Remedial Design | 0 | 0 | 0 | 0 | 11138.11 | 0 | 0 | 0 | 20345.44 | 0 | 0 | 0 | 0 | 0 | 7830.44 | 0 | 661.17 | 0 | 0 |
| Bisler Associates | | | | | | | | | | | | | | | | | | | |
| Treatment Plant Pilot Study/Conceptual Design | | | | | | | | | | | | | | | | | | | |
| Task 1 - Review Existing Information and Data | | | | | | | | | | | | | | | | | | | |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | | | | | | | | | | | | | | | | | | |
| Task 3 - Bench Scale Testing | | | | | | | | | | | | | | | | | | | |
| Task 4 - Summary Report | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Remedial Design (Bisler Associates) | | | | | | | | | | | | | | | | | | | |
| Remedial Design Work Plan (RDWP) | | | | | | | | | | | | | | | | | | | |
| Quality Assurance Project Plan (QAPP) | | | | | | | | | | | | | | | | | | | |
| Remedial Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Subtotal Remedial Design Project Plans | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Groundwater Extraction System Modification (Bisler) | | | | | | | | | | | | | | | | | | | |
| Groundwater Treatment System Upgrade (Bisler) | 90000 | 0 | 119880 | 0 | 0 | 0 | 0 | 0 | 0 | 62340 | 85680 | 0 | 0 | 55600 | 0 | 0 | 0 | 0 | 0 |
| Existing Treatment Plant O&M | | | | | | | | | | | | | | | | | | | |
| May (first month of O&M) | | | | | | | | | | | | | | | | | | | |
| June - December, 2000 (@ \$ 13000/mo) | | 10198.06 | | | | 8329.5 | 3200 | | | | | 9754.38 | | | | 24069.06 | 0 | 0 | 0 |
| January, 2001 - May 2002 | | | | | | | | | | | | | | | | 24069.06 | | | |
| May 2002 - Current | 0 | 10198.06 | 0 | 0 | 0 | 8329.5 | 3200 | 0 | 0 | 0 | 0 | 9754.38 | 0 | 0 | 0 | 0 | 0 | 7011.02 | 4860.31 |
| Subtotal Treatment Plant O&M (2000-Current) | | | | | | | | | | | | | | | | | | | |
| de maximis, Inc. (Project Coordinator) | 0 | 0 | 0 | 5832.21 | 0 | 0 | 0 | 6551.24 | 0 | 0 | 0 | 0 | 8800.81 | 0 | 0 | 0 | 0 | 0 | 2187.69 |
| de maximis, Inc. (O&M Oversight Through May 2002) | 0 | 0 | 0 | 1997.63 | 0 | 0 | 0 | 1979.25 | 0 | 0 | 0 | 0 | 2213.41 | 0 | 0 | 0 | 0 | 0 | 3382.58 |
| de maximis, Inc. (O&M Oversight May 2002 - Current) | | | | | | | | | | | | | | | | | | | |
| de maximis, Inc. (OU 2 Evaluation) | | | | | | | | | | | | | | | | | | | |
| Project Totals | 90000 | 10198.06 | 119880 | 7629.84 | 11138.11 | 8329.5 | 3200 | 8530.49 | 20345.44 | 92340 | 85680 | 9754.38 | 11813.42 | 55600 | 7830.44 | 24069.06 | 661.17 | 10293.6 | 7048 |

Notes:
1. de maximis' costs to date do not include costs prior to January 1, 2
2. De maximis' O&M Oversight line item added in August 2000

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/ROD Activities
Prepared by de maximis, Inc.
10/04/03

| Contractor | Bigler | B&C | Bigler | B&C | de maximis | Bigler | de maximis | Bigler | de maximis | B&C | de maximis | B&C | Bigler | B&C | Bigler | B&C | de maximis | Bigler | B&C |
|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|----------|
| Invoice # | 6149 | 284015 | 8216 | 284144 | 20876 | 8351 | 21105 | 284259 | 21219 | 284367 | 8440 | 284476 | 8520 | 284597 | 21339 | 8552 | 284739 | | |
| Date of Invoice | 07/17/2002 | 07/19/2002 | 07/31/2002 | 08/15/2002 | 08/19/2002 | 09/17/2002 | 09/20/2002 | 10/04/2002 | 10/16/2002 | 09/19/2002 | 11/14/2002 | 10/15/2002 | 11/13/2002 | 11/19/2002 | 12/12/2002 | 12/23/2002 | 12/31/2002 | 01/15/2003 | |
| Eckenfelder/Brown & Caldwell | | 201.85 | | 337.5 | | | | 337.5 | | | | 202.5 | | 200.68 | | | 57.5 | | |
| 1.1 Project Meetings and Conference Calls | | | | | | | | | | | | | | | | | | | |
| 1.2 Preparation of Project Plans | | | | | | | | | | | | | | | | | | | |
| 1.2A Optional 60% Submittal | | | | | | | | | | | | | | | | | | | |
| 1.3 Evaluation/Development of Discharge Limits | | | | | | | | | | | | | | | | | | | |
| 1.3.1 Work Plan/Presentation to DEP | | | | | | | | | | | | | | | | | | | |
| 1.3.2 WP Implementation/Final Report | | | | | | | | | | | | | | | | | | | |
| 1.4 ROD of ROD Component 4 | | | | | | | | | | | | | | | | | | | |
| 1.5 ROD of ROD Component 5 (Inst. Controls/Monitoring) | | | | | | | | | | | | | | | | | | | |
| 1.5.1 Development of LTMP | | | | | | | | | | | | | | | | | | | |
| 1.5.2 Dev. Of GW Database/GIS | | | | | | | | | | | | | | | | | | | |
| 1.5.3 Monitoring Trend Analysis | | | | | | | | | | | | | | | | | | | |
| 1.5.4 Institutional Control Analysis | | | | | | | | | | | | | | | | | | | |
| 1.6 ROD of ROD Component 6 (Residential Wells) | | | | | | | | | | | | | | | | | | | |
| 1.7 ROD for Air Emissions Control | | | | | | | | | | | | | | | | | | | |
| 1.8 Phytoremediation Feasibility Study | | | | | | | | | | | | | | | | | | | |
| Residential Well Program (added 4/13/00) | | 160.23 | | 45.42 | | | | 30 | | 2067.92 | | 15 | | 473.7 | | | | | |
| Spring 2001 Public Meeting (added 2/6/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Sampling Plan (added 1/30/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Monitoring (added 2/21/01) | | | | | | | | | | | | | | | | | | | |
| Extraction Well and RW-34 Sampling (added 6/12/2001) | | | | 2,061.82 | | | | 6,242.04 | | 2,015.00 | | 444.75 | | | | | | | |
| Supplemental GW Investigation (Plume Delineation Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| GIS Database Management (Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| First Event - Long Term Monitoring Plan (LTMP) Sampling October | | | | | | | | | | | | | | | | | | | |
| February 2002 LTMP Sampling and Reporting | | 16106.61 | | 7471.16 | | | | 3056.53 | | 2034.83 | | 619.34 | | | | | | | |
| June 2002 LTMP Sampling and Reporting | | 2889.08 | | | | | | | | | | 1791.15 | | 7230.33 | | | | 13176.62 | |
| Well MW-36 Replacement (Added 3/15/02) | | | | | | | | | | | | | | | | | | | |
| 2002/2003 Annual Monitoring Program (Added 11/02) | | | | | | | | | | | | | | | | | | | |
| 2003/2004 Annual Monitoring Program (Added 12/03) | | | | | | | | | | | | | | | | | | | |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | | | | | | | | | | | | | | | | | | | |
| Groundwater Modeling (Added 1/04) | | | | | | | | | | | | | | | | | | | |
| Subtotal Remedial Design | 0 | 19359.17 | 0 | 9915.89 | 0 | 0 | 0 | 9666.07 | 0 | 6117.75 | 0 | 3072.74 | 0 | 7964.71 | 0 | 0 | 13309.12 | | |
| Bigler Associates | | | | | | | | | | | | | | | | | | | |
| Treatment Plant Pilot Study/Conceptual Design | | | | | | | | | | | | | | | | | | | |
| Task 1 - Review Existing Information and Data | | | | | | | | | | | | | | | | | | | |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | | | | | | | | | | | | | | | | | | |
| Task 3 - Bench Scale Testing | | | | | | | | | | | | | | | | | | | |
| Task 4 - Summary Report | | | | | | | | | | | | | | | | | | | |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Remedial Design (Bigler Associates) | | | | | | | | | | | | | | | | | | | |
| Remedial Design Work Plan (ROWP) | | | | | | | | | | | | | | | | | | | |
| Quality Assurance Project Plan (QAPP) | | | | | | | | | | | | | | | | | | | |
| Remedial Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Subtotal Remedial Design Project Plans | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Groundwater Extraction System Modification (Bigler) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Groundwater Treatment System Upgrade (Bigler) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Existing Treatment Plant O&M | | | | | | | | | | | | | | | | | | | |
| May (first month of O&M) | | | | | | | | | | | | | | | | | | | |
| June - December, 2000 (6 @ \$13000/mo) | | | | | | | | | | | | | | | | | | | |
| January, 2001 - May 2002 | 22606.08 | | 17515.65 | 0 | 0 | 17287.7 | 0 | 17846.43 | 0 | 0 | 0 | 12924.58 | 0 | 12120.14 | 0 | 0 | 14547.64 | 0 | 0 |
| May 2002 - Current | 22606.08 | 0 | 17515.65 | 0 | 0 | 17287.7 | 0 | 17846.43 | 0 | 0 | 0 | 12924.58 | 0 | 12120.14 | 0 | 0 | 14547.64 | 0 | 0 |
| Subtotal Treatment Plant O&M (2000-Current) | | | | | | | | | | | | | | | | | | | |
| de maximis, Inc. (Project Coordinator) | 0 | 0 | 0 | 0 | 4826.33 | 0 | 7099.58 | 0 | 3697.59 | 0 | 4980.88 | 0 | 0 | 0 | 0 | 0 | 4410.75 | 0 | 0 |
| de maximis, Inc. (O&M Oversight Through May 2002) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| de maximis, Inc. (O&M Oversight May 2002 - Current) | | | | | 2130.43 | | 4812.17 | | 2254.24 | | 2155.11 | | | | | | 2001.32 | | 0 |
| de maximis, Inc. (OU 2 Evaluation) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Project Totals | 22606.08 | 19359.17 | 17515.65 | 9915.89 | 9956.76 | 17287.7 | 11111.75 | 17846.43 | 5951.63 | 9666.07 | 7145.79 | 6117.75 | 12924.58 | 3072.74 | 12120.14 | 7964.71 | 6412.07 | 14547.64 | 13309.12 |

Notes:
1. de maximis' costs to date do not include costs prior to January 1, 2002.
2. De maximis' O&M Oversight line item added in August 2000.

Boardhead Farms Superfund Site
Cost Tracking For Operable Unit One R/D/A/O&M Activities
Prepared by de maximis, inc.
10/04/03

[illegible]

Note: Higher income
Reduction by
\$35

Notes:
1. de maximis' costs to date do not include costs prior to January 1, 2000
2. De maximis' O&M Oversight line item added in August 2000

Bearhead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/RAOAM Activities
Prepared by de maximis, inc.
10/04/03

| Contractor | B&C | B&C | de maximis | B&C | Bigler | de maximis | Bigler | de maximis | B&C | Bigler | de maximis | B&C | Bigler | de maximis | B&C | B&C | de maximis | Bigler | Bigler |
|--|----------------|-----------------|----------------|----------------|-----------------|----------------|-----------------|----------------|----------------|-----------------|----------------|----------------|-----------------|----------------|----------------|----------------|----------------|-----------------|-----------------|
| Invoice # | 285495 | 285593 | 30888 | 285697 | 9224 | 30998 | 9323 | 31117 | 285805 | 9419 | 31242 | 285905 | 9545 | 31360 | 286007 | 286099 | 40086 | 9945 | 9983 |
| Date of Invoice | 07/10/2003 | 08/22/2003 | 08/14/2003 | 09/10/2003 | 09/16/2003 | 10/08/2003 | 10/16/2003 | 10/19/2003 | 11/14/2003 | 11/24/2003 | 11/26/2003 | 12/15/2003 | 12/16/2003 | 12/08/2003 | 01/08/2004 | 01/15/2004 | 01/16/2004 | 02/03/2004 | 02/03/2004 |
| Eckmiller/Brown & Caldwell | | | | 567 | | | | | 263.5 | | | | | | 283.5 | 630 | | | |
| 1.1 Project Meetings and Conference Calls | | | | | | | | | | | | | | | | | | | |
| 1.2 Preparation of Project Plans | | | | | | | | | | | | | | | | | | | |
| 1.2A Optional 60% Submittal | | | | | | | | | | | | | | | | | | | |
| 1.3 Evaluation/Development of Discharge Limits | | | | | | | | | | | | | | | | | | | |
| 1.3.1 Work Plan/Presentation to DEP | | | | | | | | | | | | | | | | | | | |
| 1.3.2 WP Implementation/Final Report | | | | | | | | | | | | | | | | | | | |
| 1.4 RD of ROD Component 4 | | | | | | | | | | | | | | | | | | | |
| 1.5 RD of ROD Component 5 (Inst. Controls/Monitoring) | | | | | | | | | | | | | | | | | | | |
| 1.5.1 Development of LTMP | | | | | | | | | | | | | | | | | | | |
| 1.5.2 Dev. Of GW Database/GIS | | | | | | | | | | | | | | | | | | | |
| 1.5.3 Monitoring Trend Analysis | | | | | | | | | | | | | | | | | | | |
| 1.5.4 Institutional Control Analysis | | | | | | | | | | | | | | | | | | | |
| 1.6 RD of ROD Component 6 (Residential Wells) | | | | | | | | | | | | 567 | | | | | | | |
| 1.7 RD for Air Emissions Control | | | | | | | | | | | | | | | | | | | |
| 1.8 Phytoremediation Feasibility Study | | | | | | | | | | | | | | | | | | | |
| Residential Well Program (added 4/13/00) | | | | | | | | | | | | | | | | | | | |
| Spring 2001 Public Meeting (added 2/6/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Sampling Plan (added 1/30/01) | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Monitoring (added 2/21/01) | | | | | | | | | | | | | | | | | | | |
| Extraction Well and RW-34 Sampling (added 6/12/2001) | | | | | | | | | | | | | | | | | | | |
| Supplemental GW Investigation (Pump Delineation Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| GIS/Database Management (Added 8/31/01) | | | | | | | | | | | | | | | | | | | |
| First Event - Long Term Monitoring Plan (LTMP) Sampling October | | | | | | | | | | | | | | | | | | | |
| February 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | |
| June 2002 LTMP Sampling and Reporting | | | | | | | | | 2,102.63 | | | 1,063.13 | | | 5,676.01 | 8,556.45 | | | |
| Well MW-38 Replacement (Added 3/15/02) | | | | | | | | | | | | 7,082.21 | | | | | | | |
| 2002/2003 Annual Monitoring Program (Added 11/02) | 6,757.29 | 10,247.37 | | 3,342.26 | | | | | | | | | | | | | | | |
| 2003/2004 Annual Monitoring Program (Added 12/03) | | | | | | | | | | | | | | | | | | | |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | | | | | | | | | | | | | | | | | | | |
| Groundwater Modeling (Added 1/04) | | | | | | | | | 2386.13 | 0 | 0 | 8712.34 | 0 | 0 | 5955.51 | 9188.45 | 0 | 0 | 0 |
| Subtotal Remedial Design | 6757.29 | 10247.37 | 0 | 3909.26 | 0 | 0 | 0 | 0 | 2386.13 | 0 | 0 | 8712.34 | 0 | 0 | 5955.51 | 9188.45 | 0 | 0 | 0 |
| Bigler Associates | | | | | | | | | | | | | | | | | | | |
| Treatment Plant Pilot Study/Conceptual Design | | | | | | | | | | | | | | | | | | | |
| Task 1 - Review Existing Information and Data | | | | | | | | | | | | | | | | | | | |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | | | | | | | | | | | | | | | | | | |
| Task 3 - Bench Scale Testing | | | | | | | | | | | | | | | | | | | |
| Task 4 - Summary Report | | | | | | | | | | | | | | | | | | | |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Remedial Design (Bigler Associates) | | | | | | | | | | | | | | | | | | | |
| Remedial Design Work Plan (RDWP) | | | | | | | | | | | | | | | | | | | |
| Quality Assurance Project Plan (QAPP) | | | | | | | | | | | | | | | | | | | |
| Remedial Design | | | | | | | | | | | | | | | | | | | |
| Subtotal Remedial Design Project Plans | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Groundwater Extraction System Modification (Bigler) | | | | | | | | | | | | | | | | | | | |
| Groundwater Treatment System Upgrade (Bigler) | | | | | | | | | | | | | | | | | | | |
| Existing Treatment Plant O&M | | | | | | | | | | | | | | | | | | | |
| May (first month of O&M) | | | | | | | | | | | | | | | | | | | |
| June - December, 2000 (@ \$ 13000/mo) | | | | | | | | | | | | | | | | | | | |
| January, 2001 - May 2002 | | | | | | | | | | | | | | | | | | | |
| May 2002 - Current | | | | | | | | | | | | | | | | | | | |
| Subtotal Treatment Plant O&M (2000-Current) | 0 | 0 | 0 | 0 | 15574.05 | 0 | 12141.32 | 0 | 0 | 12414.53 | 0 | 0 | 12750.07 | 0 | 0 | 0 | 0 | 12960.68 | 18480.74 |
| de maximis, inc.(Project Coordinator) | 0 | 0 | 2658.71 | 0 | 0 | 3297.01 | 0 | 2513.98 | 0 | 0 | 3196.55 | 0 | 0 | 2485.79 | 0 | 0 | 3291.36 | 0 | 0 |
| de maximis, inc.(O&M Oversight Through May 2002) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| de maximis, inc.(O&M Oversight May 2002 - Current) | 0 | 0 | 1274.18 | 0 | 0 | 975.98 | 0 | 1641.7 | 0 | 0 | 2415.39 | 0 | 0 | 2158.71 | 0 | 0 | 2264.33 | 0 | 0 |
| de maximis, inc.(OU 2 Evaluation) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Project Totals | 6757.29 | 10247.37 | 3032.89 | 3909.26 | 15574.05 | 4272.99 | 12141.32 | 4355.68 | 2386.13 | 12414.53 | 5611.94 | 8712.34 | 16750.07 | 4642.5 | 5955.51 | 9188.45 | 5555.71 | 12960.68 | 18480.74 |

Notes:

1. de maximis' costs to date do not include costs prior to January 1, 2
2. De maximis' O&M Oversight line item added in August 2000

Boorhead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/O&M Activities
Prepared by de maximis, inc.
10/04/03

| 100K03 | | | | | | | | | | | | | | | | | | | | |
|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---|
| Contractor | B&C | de maximis | Bigler | B&C | de maximis | B&C | de maximis | Bigler | B&C | de maximis | Bigler | Bigler | Bigler | Bigler | de maximis | B&C | de maximis | Bigler | B&C | |
| Invoice # | 286191 | 40202 | 8788 | 286286 | 40314 | 286382 | 40428 | 9810 | 286488 | 40540 | 9846 | BHF 001 | BHF 002 | BHF 003 | 40563 | 286502 | 40787 | BHF 003 | 286698 | |
| Date of Invoice | 02/04/2004 | 02/17/2004 | 03/01/2004 | 03/09/2004 | 03/11/2004 | 04/08/2004 | 04/09/2004 | 04/14/2004 | 05/01/2004 | 05/13/2004 | 05/18/2004 | 05/24/2004 | 06/07/2004 | 06/07/2004 | 06/11/2004 | 06/08/2004 | 07/15/2004 | 07/07/2004 | 07/12/2004 | |
| Eckelfelder/Brown & Caldwell | | | | | | | | | | | | | | | | | | | 141.75 | |
| 1.1 Project Meetings and Conference Calls | | | | | | | | | | | | | | | | | | | | |
| 1.2 Preparation of Project Plans | | | | | | | | | | | | | | | | | | | | |
| 1.2A Optional 60% Submittal | | | | | | | | | | | | | | | | | | | | |
| 1.3 Evaluation/Development of Discharge Limits | | | | | | | | | | | | | | | | | | | | |
| 1.3.1 Work Plan/Presentation to DEP | | | | | | | | | | | | | | | | | | | | |
| 1.3.2 WP Implementation/Final Report | | | | | | | | | | | | | | | | | | | | |
| 1.4 RD of ROD Component 4 | | | | | | | | | | | | | | | | | | | | |
| 1.5 RD of ROD Component 5 (Inst. Controls/Monitoring) | | | | | | | | | | | | | | | | | | | | |
| 1.5.1 Development of LTMP | | | | | | | | | | | | | | | | | | | | |
| 1.5.2 Dev. Of GW Database/GIS | | | | | | | | | | | | | | | | | | | | |
| 1.5.3 Monitoring Trend Analysis | | | | | | | | | | | | | | | | | | | | |
| 1.5.4 Institutional Control Analysis | | | | | | | | | | | | | | | | | | | | |
| 1.6 RD of ROD Component 6 (Residential Wells) | | | | | | | | | | | | | | | | 610.31 | | | 297.88 | |
| 1.7 RD for Air Emissions Control | | | | | | | | | | | | | | | | | | | | |
| 1.8 Phytoremediation Feasibility Study | | | | | | | | | | | | | | | | | | | | |
| Residential Well Program (added 4/13/00) | | | | | | | | | | | | | | | | | | | | |
| Spring 2001 Public Meeting (added 2/6/01) | | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Sampling Plan (added 1/30/01) | | | | | | | | | | | | | | | | | | | | |
| Interim Groundwater Monitoring (added 2/21/01) | | | | | | | | | | | | | | | | | | | | |
| Extraction Well and RW-34 Sampling (added 8/12/2001) | | | | | | | | | | | | | | | | | | | | |
| Supplemental GW Investigation (Prime Definition Added 8/31/01) | | | | | | | | | | | | | | | | | | | | |
| GIS Database Management (Added 8/31/01) | | | | | | | | | | | | | | | | | | | | |
| Final Event - Long-Term Monitoring Plan (LTMP) Sampling October | | | | | | | | | | | | | | | | | | | | |
| February 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | | |
| June 2002 LTMP Sampling and Reporting | | | | | | | | | | | | | | | | | | | | |
| Well MW-38 Replacement (Added 3/15/02) | | | | | | | | | | | | | | | | 1,488.38 | | | 4,672.50 | |
| 2002/2003 Annual Monitoring Program (Added 11/02) | | | | | | | | | | | | | | | | 4,858.88 | | | 141.75 | |
| 2003/2004 Annual Monitoring Program (Added 12/03) | 1,170.75 | | | 7,295.42 | | 8,894.35 | | | 2,561.90 | | | | | | | 12,256.13 | | | 3,685.50 | |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | 913.30 | | | 5,726.83 | | 24,397.20 | | | 2,987.57 | | | | | | | | | | | |
| Groundwater Modeling (Added 1/04) | | | | | | 1,265.25 | | | 7,948.50 | | | | | | | | | | | |
| Subtotal Remedial Design | 2084.05 | 0 | 0 | 17022.05 | 0 | 34556.80 | 0 | 0 | 13492.93 | 0 | 0 | 0 | 0 | 0 | 0 | 18213.70 | 0 | 0 | 8939.18 | |
| Bigler Associates | | | | | | | | | | | | | | | | | | | | |
| Treatment Plant Pilot Study/Conceptual Design | | | | | | | | | | | | | | | | | | | | |
| Task 1 - Review Existing Information and Data | | | | | | | | | | | | | | | | | | | | |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | | | | | | | | | | | | | | | 0 | 0 | 0 | 0 | |
| Task 3 - Bench Scale Testing | | | | | | | | | | | | | | | | | | | | |
| Task 4 - Summary Report | | | | | | | | | | | | | | | | | | | | |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Remedial Design (Bigler Associates) | | | | | | | | | | | | | | | | | | | | |
| Remedial Design Work Plan (RDWP) | | | | | | | | | | | | | | | | 0 | 0 | 0 | 0 | |
| Quality Assurance Project Plan (QAPP) | | | | | | | | | | | | | | | | 0 | 0 | 0 | 0 | |
| Remedial Design | | | | | | | | | | | | | | | | | | | | |
| Subtotal Remedial Design Project Plans | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Groundwater Extraction System Modification (Bigler) | | | | | | | | | | | | | | | | | | | | |
| Groundwater Extraction System Modification (Bigler) | | | | | | | | | | | | | | | | | | | | |
| Groundwater Treatment System Upgrade (Bigler) | | | | | | | | | | | | | | | | | | | | |
| Groundwater Treatment System Upgrade (Bigler) | | | | | | | | | | | | | | | | | | | | |
| Existing Treatment Plant O&M | | | | | | | | | | | | | | | | | | | | |
| May (first month of O&M) | | | | | | | | | | | | | | | | | | | | |
| June - December, 2000 (@ \$ 13000/mo) | | | | | | | | | | | | | | | | | | | | |
| January, 2001 - May 2002 | | | | | | | | | | | | | | | | | | | | |
| May 2002 - Current | | | | | | | | | | | | | | | | | | | | |
| Subtotal Existing Treatment Plant O&M (2000-Current) | 0 | 0 | 12,756.05 | 0 | 0 | 0 | 0 | 14,800.12 | 0 | 0 | 19,547.40 | 15,372.21 | 18,267.14 | 2,793.34 | 0 | 0 | 0 | 13,297.07 | 0 | |
| de maximis, Inc. (Project Coordinator) | 0 | 4740.44 | 0 | 0 | 6766.18 | 0 | 5793.16 | 0 | 0 | 8723.68 | 0 | 0 | 0 | 0 | 0 | 3577.35 | 0 | 2647.41 | 0 | 0 |
| de maximis, Inc. (O&M Oversight Through May 2002) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| de maximis, Inc. (O&M Oversight May 2002 - Current) | 0 | 1745.12 | 0 | 0 | 1410.18 | 0 | 1493.12 | 0 | 0 | 2214.47 | 0 | 0 | 0 | 0 | 0 | 2671.42 | 0 | 2422.36 | 0 | 0 |
| de maximis, Inc. (OU 2 Evaluation) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Project Totals | 2084.05 | 8485.56 | 12769.63 | 17022.05 | 8178.36 | 34556.80 | 7286.28 | 14800.12 | 13492.93 | 7938.15 | 19547.40 | 15372.21 | 18267.14 | 2793.34 | 6248.77 | 19213.70 | 5049.77 | 13297.07 | 8939.18 | |

Notes:
1. de maximis' costs to date do not include costs prior to January 1, 2
2. De maximis' O&M Oversight line item added in August 2000

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit One ROD/RA/O&M Activities
Prepared by de maximis, inc.
1004/03

| Contractor | de maximis | Total | |
|--|------------|------------|------------------------------------|
| Invoice # | 40566 | Cost | Comments |
| Date of Invoice | 08/08/2004 | 08/24/2004 | |
| Eckenfelder/Brown & Caldwell | | 67446.37 | Complete |
| 1.1 Project Meetings and Conference Calls | | 19530.47 | Complete |
| 1.2 Preparation of Project Plans | | 0 | Not Needed |
| 1.2A Optional 60% Submittal | | | |
| 1.3 Evaluation/Development of Discharge Limits | | 6653.92 | Complete |
| 1.3.1 Work Plan/Presentation to DEP | | 18277.43 | Complete |
| 1.3.2 WP Implementation/Final Report | | 0 | Complete |
| 1.4 RD of ROD Component 4 | | | |
| 1.5 RD of ROD Component 5 (Inst. Controls/Monitoring) | | 5090.62 | Complete |
| 1.5.1 Development of LTMP | | 40539.51 | Complete |
| 1.5.2 Dev. of GW Database/QIS | | 20805.48 | Complete |
| 1.5.3 Monitoring Trend Analysis | | 0 | Complete |
| 1.5.4 Institutional Control Analysis | | 589.21 | Complete |
| 1.6 RD of ROD Component 6 (Residential Wells) | | 4474.56 | Complete |
| 1.7 RD for Air Emissions Control | | 5920.34 | Complete |
| 1.8 Phytoremediation Treatability Study | | 36703.11 | Complete |
| Residential Well Program (added 4/13/00) | | 0 | Complete |
| Spring 2001 Public Meeting (added 2/8/01) | | 405 | Complete |
| Interim Groundwater Sampling Plan (added 1/30/01) | | 95423.9 | Complete |
| Interim Groundwater Monitoring (added 2/21/01) | | 16068.45 | Complete |
| Extraction Well and RW-34 Sampling (added 8/12/2001) | | 29403.08 | Complete |
| Supplemental GW Investigation (Plume Delineation Added 8/31/01) | | 18762.49 | Complete |
| GIS/Database Management (Added 8/31/01) | | 42080.14 | Complete |
| First Event - Long-Term Monitoring Plan (LTMP) Sampling October | | 17846.01 | Complete |
| February 2002 LTMP Sampling and Reporting | | 28357.36 | Complete |
| June 2002 LTMP Sampling and Reporting | | 4627.85 | Complete |
| Well MW-38 Replacement (Added 3/15/02) | | 77873.68 | Complete |
| 2002/2003 Annual Monitoring Program (Added 11/02) | | 47397.97 | Ongoing |
| 2003/2004 Annual Monitoring Program (Added 12/03) | | 43020.29 | Complete |
| Installation of Additional Wells (On-site/Off-site - added 1/04) | | 25155.38 | Ongoing |
| Groundwater Modeling (Added 1/04) | | | |
| Subtotal Remedial Design | 0 | 671874.5 | |
| Bigler Associates | | | |
| Treatment Plant Pilot Study/Conceptual Design | | 2195 | Completed; Additional EPA data |
| Task 1 - Review Existing Information and Data | | 1225 | Complete |
| Task 2 - Site Visit/Sample Collection/EPA Meeting | | 17087.07 | Completed; Additional Testing |
| Task 3 - Bench Scale Testing | | 7547.98 | Complete |
| Task 4 - Summary Report | | 28055.03 | Complete |
| Subtotal Treatment Plant Pilot Study/Conceptual Design | 0 | | |
| Remedial Design (Bigler Associates) | | 4000 | Complete |
| Remedial Design Work Plan (RDWP) | | 4000 | Completed; QAPP not needed in RDWP |
| Quality Assurance Project Plan (QAPP) | | 54250.89 | Complete |
| Remedial Design | 0 | 62250.89 | |
| Subtotal Remedial Design Project Plans | 0 | | |
| Groundwater Extraction System Modification (Bigler) | 0 | 162000 | Complete |
| Groundwater Treatment System Upgrade (Bigler) | 0 | 562400 | Complete |
| Existing Treatment Plant O&M | | 16301.54 | Complete |
| May (first month of O&M) | | 107765.62 | Complete |
| June - December, 2000 (6 @ \$ 13000/mo) | | 233870.4 | Complete |
| January, 2001 - May 2002 | | 436917.45 | Ongoing |
| May 2002 - Current | 0 | 796833.11 | |
| Subtotal Treatment Plant O&M (2000-Current) | 0 | | |
| de maximis, inc. (Project Coordinator) | 6964.67 | 338590.85 | Active (See Note One) |
| de maximis, inc. (O&M Oversight Through May 2002) | 0 | 64489.54 | Active (See Note One) |
| de maximis, inc. (O&M Oversight May 2002 - Current) | | 49519.34 | |
| de maximis, inc. (OU 2 Evaluation) | | 10826.93 | Active (See Note One) |
| Project Totals | 6964.67 | 2182230.21 | |

Notes:

1. de maximis' costs to date do not include costs prior to January 1, 2
2. De maximis' O&M Oversight line item added in August 2000

Harris, Glenn A. (VH)

From: Harris, Glenn A. (VH)
Sent: Wednesday, September 15, 2004 9:48 AM
To: A. Nicole Friant (E-mail); Adina Marie Bingham (E-mail); Andrew P. Foster (E-mail); Edward Fackenthal (E-mail); Lynn Wright; Melissa Flax (E-mail); Richard C. Biedrzycki (E-mail); Robert M. Morris (E-mail); Seth v. d. H. Cooley (E-mail); Stephen P. Chawaga (E-mail); Thomas W. Sabino (E-mail)
Cc: New, Michelle (Phila)
Subject: Boarhead - BHF OU2 Invoice Index Table



BHF OU2 Invoice
Index Table.pd...

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | de maximis | B&C | de maximis | B&C | Bigler | de maximis | B&C | B&C |
|--|------------|------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 11263 | 282966 | 11380 | 283098 | 7729 | 20090 | 283253 | 283396 |
| Date of Invoice | 11/10/2001 | 11/16/2001 | 12/18/2001 | 12/28/2001 | 01/31/2002 | 01/15/2002 | 01/25/2002 | 01/25/2002 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | 1822.50 | | 16706.65 | | | 4591.91 | 973.69 |
| Pre-Design Investigation (B&C) | | | | | | | | |
| Magnetic Survey (Drum Location/Delineation) | | | | | | | | |
| Soil Hot Spot Sampling/Delineation | | | | | | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | | | | | | | | |
| Draft Final Remedial Design Documents (B&C) | | | | | | | | |
| Response To Regulatory Agency Comments (B&C) | | | | | | | | |
| Final Remedial Design Documents (B&C) | | | | | | | | |
| Design Meetings and Administration (B&C) | | | | | | | | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | | | | | |
| RA Contractor Bid Assistance (added 11/4/02) | | | | | | | | |
| Subtotal Remedial Design - Brown & Caldwell | | 1822.50 | | 16706.65 | | | 4591.91 | 973.69 |
| RD Project Coordination - de maximis | 409.50 | 0.00 | 1535.11 | 0.00 | 0.00 | 682.50 | 0.00 | 0.00 |
| RD/RA Support - Bigler Associates | 0.00 | 0.00 | 0.00 | 0.00 | 3800.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action CQA/Resident Engineer (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Project Coordination & Construction Oversight (de maximis) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Project Totals | 409.50 | 1822.50 | 1535.11 | 16706.65 | 3800.00 | 682.50 | 4591.91 | 973.69 |

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | de maximis | de maximis | B&C | de maximis | B&C | de maximis | B&C | de maximis |
|--|------------|------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 20206 | 20324 | 283561 | 20436 | 283690 | 20544 | 283814 | 20655 |
| Date of Invoice | 02/19/2002 | 03/16/2002 | 03/21/2002 | 04/10/2002 | 04/19/2002 | 05/10/2002 | 05/17/2002 | 06/20/2002 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | | 8387.75 | | 3671.18 | | 797.22 | |
| Pre-Design Investigation (B&C) | | | | | | | 9086.98 | |
| Magnetic Survey (Drum Location/Delineation) | | | | | | | | |
| Soil Hot Spot Sampling/Delineation | | | | | | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | | | | | | | | |
| Draft Final Remedial Design Documents (B&C) | | | | | | | | |
| Response To Regulatory Agency Comments (B&C) | | | | | | | | |
| Final Remedial Design Documents (B&C) | | | | | | | | |
| Design Meetings and Administration (B&C) | | | | | | | | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | | | | | |
| RA Contractor Bid Assistance (added 11/4/02) | | | 8387.75 | | 3671.18 | | 9884.20 | |
| Subtotal Remedial Design - Brown & Caldwell | | | | | | | | |
| | 2195.56 | 2764.65 | 0.00 | 1681.06 | 0.00 | 1115.63 | 0.00 | 3466.08 |
| RD Project Coordination - de maximis | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RD/RA Support - Bigler Associates | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action CQA/Resident Engineer (B&C) | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Project Coordination & Construction Oversight (de maximis) | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Project Totals | 2195.56 | 2764.65 | 8387.75 | 1681.06 | 3671.18 | 1115.63 | 9884.20 | 3466.08 |

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | B&C | de maximis | B&C | de maximis | B&C | de maximis | B&C | de maximis |
|--|------------|------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 283940 | 20768 | 284062 | 20877 | 284192 | 20997 | 284297 | 21110 |
| Date of Invoice | 06/17/2002 | 07/16/2002 | 07/19/2002 | 08/19/2002 | 08/15/2002 | 09/20/2002 | 09/10/2002 | 10/10/2002 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | 258.75 | | 271.05 | | | | | |
| Pre-Design Investigation (B&C) | | | | | | | | |
| Magnetic Survey (Drum Location/Delineation) | 4048.38 | | 4136.99 | | 1.35 | | | |
| Soil Hot Spot Sampling/Delineation | 4012.85 | | 11898.73 | | 908.49 | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | 240.00 | | 4208.79 | | 3532.41 | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | | | 4501.30 | | 1387.50 | | 2426.15 | |
| Draft Final Remedial Design Documents (B&C) | | | | | | | | |
| Response To Regulatory Agency Comments (B&C) | | | | | | | | |
| Final Remedial Design Documents (B&C) | | | | | 315.10 | | 118.80 | |
| Design Meetings and Administration (B&C) | | | | | 67.50 | | 2793.56 | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | | | | | |
| RA Contractor Bid Assistance (added 11/4/02) | | | | | | | | |
| Subtotal Remedial Design - Brown & Caldwell | 8559.98 | | 25016.86 | | 6212.35 | | 5338.51 | |
| RD Project Coordination - de maximis | 0.00 | 3151.47 | 0.00 | 3360.53 | 0.00 | 5119.98 | 0.00 | 4518.71 |
| RD/RA Support - Bigler Associates | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action CQA/Resident Engineer (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Project Coordination & Construction Oversight (de maximis) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Project Totals | 8559.98 | 3151.47 | 25016.86 | 3360.53 | 6212.35 | 5119.98 | 5338.51 | 4518.71 |

Boarhead Farms Superfund Site
 Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | B&C | de maximis | B&C | de maximis | B&C | de maximis | B&C | de maximis |
|--|-----------------|----------------|-----------------|-----------------|----------------|----------------|----------------|----------------|
| Invoice # | 284404 | 21220 | 284513 | 21330 | 284634 | 30088 | 284775 | 30204 |
| Date of Invoice | 10/15/2002 | 11/09/2002 | 11/19/2002 | 12/13/2002 | 12/23/2002 | 01/15/2003 | 01/15/2003 | 02/13/2003 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | | | | | | | |
| Pre-Design Investigation (B&C) | | | | | | | | |
| Magnetic Survey (Drum Location/Delineation) | | | | | | | | |
| Soil Hot Spot Sampling/Delineation | | | | | | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | 5092.30 | | 2889.60 | | | | | |
| Draft Final Remedial Design Documents (B&C) | 31525.24 | | 7371.14 | | 6679.56 | | | |
| Response To Regulatory Agency Comments (B&C) | | | 6753.10 | | | | 1792.34 | |
| Final Remedial Design Documents (B&C) | | | | | 56.25 | | 33.75 | |
| Design Meetings and Administration (B&C) | 41.10 | | 266.70 | | | | | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | 6998.25 | | | | 1485.00 | | 2158.05 | |
| RA Contractor Bid Assistance (added 11/4/02) | | | | | 8220.81 | | 3984.14 | |
| Subtotal Remedial Design - Brown & Caldwell | 43656.89 | | 17280.54 | | 8220.81 | | 3984.14 | |
| RD Project Coordination - de maximis | 0.00 | 5083.59 | 0.00 | 10386.10 | 0.00 | 9984.48 | 0.00 | 3576.16 |
| RD/RA Support - Bigler Associates | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action CQA/Resident Engineer (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Project Coordination & Construction Oversight (de maximis) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 3000.00 |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Project Totals | 43656.89 | 5083.59 | 17280.54 | 10386.10 | 8220.81 | 9984.48 | 3984.14 | 6576.16 |

Boarhead Farms Superfund Site
 Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | B&C | B&C | de maximis | B&C | de maximis | de maximis | de maximis | de maximis |
|--|----------------|----------------|----------------|----------------|----------------|-----------------|-----------------|-----------------|
| Invoice # | 284901 | 285025 | 30313 | 285166 | 30428 | 30541 | 30657 | 30775 |
| Date of Invoice | 02/10/2003 | 03/11/2003 | 03/17/2003 | 04/15/2003 | 04/16/2003 | 05/20/2003 | 06/30/2003 | 07/16/2003 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | | | | | | | |
| Pre-Design Investigation (B&C) | | | | | | | | |
| Magnetic Survey (Drum Location/Delineation) | | | | | | | | |
| Soil Hot Spot Sampling/Delineation | | | | | | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | | | | | | | | |
| Draft Final Remedial Design Documents (B&C) | | | | | | | | |
| Response To Regulatory Agency Comments (B&C) | | | | | | | | |
| Final Remedial Design Documents (B&C) | 425.98 | | | 94.50 | | | | |
| Design Meetings and Administration (B&C) | 247.50 | 106.31 | | | | | | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | 6573.00 | | | | |
| RA Contractor Bid Assistance (added 11/4/02) | 754.94 | 141.75 | | 6667.50 | | | | |
| Subtotal Remedial Design - Brown & Caldwell | 1428.42 | 248.06 | | | | | | |
| RD Project Coordination - de maximis | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RD/RA Support - Bigler Associates | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action CQA/Resident Engineer (B&C) | 0.00 | 1252.13 | 0.00 | 1509.12 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Project Coordination & Construction Oversight (de maximis) | 0.00 | 0.00 | 7871.39 | 0.00 | 8940.57 | 13053.50 | 15396.68 | 14115.93 |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Project Totals | 1428.42 | 1500.19 | 7871.39 | 8176.62 | 8940.57 | 13053.50 | 15396.68 | 14115.93 |

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | de maximis | de maximis | de maximis | B&C | B&C | B&C | B&C | Code |
|--|------------|------------|------------|------------|------------|------------|------------|---------------|
| Invoice # | 30889 | 30999 | 31118 | 285293 | 285411 | 285513 | 285611 | Application 1 |
| Date of Invoice | 08/14/2003 | 09/14/2003 | 10/13/2003 | 05/09/2003 | 06/10/2003 | 07/10/2003 | 08/22/2003 | 05/01/2003 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | | | | | | | |
| Pre-Design Investigation (B&C) | | | | | | | | |
| Magnetic Survey (Drum Location/Delineation) | | | | | | | | |
| Soil Hot Spot Sampling/Delineation | | | | | | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | | | | | | | | |
| Draft Final Remedial Design Documents (B&C) | | | | | | | | |
| Response To Regulatory Agency Comments (B&C) | | | | | | | | |
| Final Remedial Design Documents (B&C) | | | | 378.00 | | | | |
| Design Meetings and Administration (B&C) | | | | | | | | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | 1307.25 | | | | |
| RA Contractor Bid Assistance (added 11/4/02) | | | | 1685.25 | 0.00 | 0.00 | 0.00 | 0.00 |
| Subtotal Remedial Design - Brown & Caldwell | | | | | | | | |
| RD Project Coordination - de maximis | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RD/RA Support - Bigler Associates | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 114789.29 |
| Remedial Action CQA/Resident Engineer (B&C) | 0.00 | 0.00 | 0.00 | 6224.73 | 13857.80 | 13942.89 | 14299.38 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Project Coordination & Construction Oversight (de maximis) | 19405.00 | 14054.00 | 14063.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| Project Totals | 19405.00 | 14054.00 | 14063.00 | 7909.98 | 13857.80 | 13942.89 | 14299.38 | 114789.29 |

Fig. BHF OU2 Invoice Index Table

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | Code | Code | Code | Code | B&C | B&C | de maximis | B&C |
|--|---------------|---------------|---------------|---------------|------------|------------|------------|------------|
| Invoice # | Application 2 | Application 3 | Application 4 | Application 5 | 285718 | 285825 | 31243 | 285923 |
| Date of Invoice | 06/07/2003 | 07/04/2003 | 08/01/2003 | 09/01/3003 | 09/10/2003 | 10/10/2003 | 11/24/2003 | 11/06/2003 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | | | | | | | |
| Pre-Design Investigation (B&C) | | | | | | | | |
| Magnetic Survey (Drum Location/Delineation) | | | | | | | | |
| Soil Hot Spot Sampling/Delineation | | | | | | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | | | | | | | | |
| Draft Final Remedial Design Documents (B&C) | | | | | | | | |
| Response To Regulatory Agency Comments (B&C) | | | | | | | | |
| Final Remedial Design Documents (B&C) | | | | | | | | |
| Design Meetings and Administration (B&C) | | | | | | | | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | | | | | |
| RA Contractor Bid Assistance (added 11/4/02) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 |
| Subtotal Remedial Design - Brown & Caldwell | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RD Project Coordination - de maximis | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RD/RA Support - Bigler Associates | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | 199452.99 | 189693.90 | 256418.63 | 300057.35 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action CQA/Resident Engineer (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 9345.80 | 7523.64 | 0.00 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 8575.88 | 0.00 | 1160.14 |
| RA Project Coordination & Construction Oversight (de maximis) | | | | | 0.00 | 0.00 | 9982.94 | 0.00 |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Project Totals | 199452.99 | 189693.90 | 256418.63 | 300057.35 | 9345.80 | 16099.52 | 9982.94 | 1160.14 |

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | de maximis | Code | B&C | de maximis | B&C | B&C | B&C | de maximis |
|--|------------|---------------|------------|------------|------------|------------|------------|------------|
| Invoice # | 31361 | Application 6 | 286022 | 40087 | 286114 | 286301 | 286206 | 40203 |
| Date of Invoice | 12/16/2003 | 09/01/3003 | 12/08/2003 | 01/15/2004 | 01/08/2004 | 02/04/2004 | 02/04/2004 | 02/18/2004 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | | | | | | | |
| Pre-Design Investigation (B&C) | | | | | | | | |
| Magnetic Survey (Drum Location/Delineation) | | | | | | | | |
| Soil Hot Spot Sampling/Delineation | | | | | | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | | | | | | | | |
| Draft Final Remedial Design Documents (B&C) | | | | | | | | |
| Response To Regulatory Agency Comments (B&C) | | | | | | | | |
| Final Remedial Design Documents (B&C) | | | | | | | | |
| Design Meetings and Administration (B&C) | | | | | | | | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | | | | | |
| RA Contractor Bid Assistance (added 11/4/02) | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | |
| Subtotal Remedial Design - Brown & Caldwell | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RD Project Coordination - de maximis | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RD/RA Support - Bigler Associates | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | | | | | | | | |
| | 0.00 | 630276.56 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action CQA/Resident Engineer (B&C) | | | | | | | | |
| | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | | | | | | | | |
| | 0.00 | 0.00 | 1783.69 | 0.00 | 795.38 | 945.00 | 606.38 | 0.00 |
| RA Project Coordination & Construction Oversight (de maximis) | | | | | | | | |
| | 3698.22 | | 0.00 | 2822.93 | 0.00 | 0.00 | 0.00 | 4769.11 |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | | | | | | | | |
| | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Project Totals | | | | | | | | |
| | 3698.22 | 630276.56 | 1783.69 | 2822.93 | 795.38 | 945.00 | 606.38 | 4769.11 |

Boarhead Farms Superfund Site
 Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | de maximis | Code | B&C | B&C | de maximis | Code | Code | de maximis |
|--|----------------|-----------------|---------------|----------------|----------------|-----------------|----------------|----------------|
| Invoice # | 40315 | Application 7 | 286396 | 286502 | 40429 | Application 8 | Application 9 | 40541 |
| Date of Invoice | 03/11/2004 | 03/26/2004 | 04/08/2004 | 04/08/2004 | 04/09/2004 | 04/14/2004 | 04/14/2004 | 05/13/2004 |
| Remedial Design - Brown & Caldwell | | | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | | | | | | | |
| Pre-Design Investigation (B&C) | | | | | | | | |
| Magnetic Survey (Drum Location/Delineation) | | | | | | | | |
| Soil Hot Spot Sampling/Delineation | | | | | | | | |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | | | | |
| Disposal of Test Pit Material | | | | | | | | |
| Pre-Design Report (PDI) | | | | | | | | |
| Draft Final Remedial Design Documents (B&C) | | | | | | | | |
| Response To Regulatory Agency Comments (B&C) | | | | | | | | |
| Final Remedial Design Documents (B&C) | | | | | | | | |
| Design Meetings and Administration (B&C) | | | | | | | | |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | | | | | |
| RA Contractor Bid Assistance (added 11/4/02) | | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | |
| Subtotal Remedial Design - Brown & Caldwell | | | | | | | | |
| RD Project Coordination - de maximis | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RD/RA Support - Bigler Associates | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | 0.00 | 13330.08 | 0.00 | 0.00 | 0.00 | 28367.50 | 5225.00 | 0.00 |
| Remedial Action CQA/Resident Engineer (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Engineering Support/Documentation/Final Report (B&C) | 0.00 | 0.00 | 665.44 | 1834.88 | 0.00 | 0.00 | 0.00 | 0.00 |
| RA Project Coordination & Construction Oversight (de maximis) | 2798.88 | | 0.00 | 0.00 | 3696.49 | | | 2167.75 |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | 0.00 | | 0.00 | 0.00 | 0.00 | | | 0.00 |
| Project Totals | 2798.88 | 13330.08 | 665.44 | 1834.88 | 3696.49 | 28367.50 | 5225.00 | 2167.75 |

File: B&F O&M Invoice Index Table

Boarhead Farms Superfund Site
Cost Tracking For Operable Unit Two RD/RA/O&M Activities
 Prepared by de maximis, inc.

| Contractor | B&C | de maximis | B&C | de maximis | Total | |
|--|------------|------------|------------|------------|------------|--------------------------------|
| Invoice # | 286617 | 40654 | 286713 | 40768 | Cost | Comments |
| Date of Invoice | 06/08/2004 | 06/11/2004 | 07/12/2004 | 07/15/2004 | 08/24/2004 | |
| Remedial Design - Brown & Caldwell | | | | | | |
| Pre-RD Development and Remedial Design Work Plan (B&C) | | | | | 37480.70 | Complete |
| Pre-Design Investigation (B&C) | | | | | 17273.70 | Complete |
| Magnetic Survey (Drum Location/Delineation) | | | | | 16820.07 | Complete |
| Soil Hot Spot Sampling/Delineation | | | | | 7981.20 | Complete |
| Test Pit Exploration (Geophysical Groundtruthing) | | | | | 0.00 | Complete |
| Disposal of Test Pit Material | | | | | 16296.85 | Complete |
| Pre-Design Report (PDI) | | | | | 45575.94 | Complete |
| Draft Final Remedial Design Documents (B&C) | | | | | 0.00 | Complete |
| Response To Regulatory Agency Comments (B&C) | | | | | 8971.42 | Complete |
| Final Remedial Design Documents (B&C) | | | | | 1658.01 | Complete |
| Design Meetings and Administration (B&C) | | | | | 9859.31 | Complete |
| Soil Remedy Alternatives Analysis (Added 7/11/02 from conference call) | | | | | 12419.99 | Complete |
| RA Contractor Bid Assistance (added 11/4/02) | | | | | 152057.89 | |
| Subtotal Remedial Design - Brown & Caldwell | 0.00 | | 0.00 | | | |
| RD Project Coordination - de maximis | 0.00 | 0.00 | 0.00 | 0.00 | 59031.11 | Complete |
| RD/RA Support - Bigler Associates | 0.00 | 0.00 | 0.00 | 0.00 | 3800.00 | Electrical Upgrade During OU 1 |
| Remedial Action - Soil Removal/Treatment/Disposal (Code) | 0.00 | 0.00 | 0.00 | 0.00 | 1737611.30 | Active |
| Remedial Action CQA/Resident Engineer (B&C) | 0.00 | 0.00 | 0.00 | 0.00 | 67955.49 | Active |
| RA Engineering Support/Documentation/Final Report (B&C) | 817.69 | 0.00 | 3890.41 | 0.00 | 21074.89 | Active |
| RA Project Coordination & Construction Oversight (de maximis) | 0.00 | 1693.89 | 0.00 | 432.10 | 141962.38 | Active |
| Post RA Operation & Maintenance / Institutional Controls (Annual) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | Not Authorized |
| Project Totals | 817.69 | 1693.89 | 3890.41 | 432.10 | 2183493.06 | |

EXHIBIT D

Harris, Glenn A. (VH)

From: David Doto [ddoto@pp-b.com]
Sent: Thursday, October 16, 2003 1:47 PM
To: Harris, Glenn A. (VH)
Cc: Robin Lampkin-Isabel; Mark Metcalf; Rich Biedrzycki
Subject: Boarhead Farms
Glenn:

This will confirm that Ashland has arranged to inspect and sample drums at the Boarhead Farms site on Thursday, October 23, 2003. As we previously discussed, I do not plan to attend unless you change your mind and intend to be present or have a representative from your office attend. Please contact me if you plan to make the trip.

Thanks for your assistance in getting this issue resolved.
David M. Doto
Phelan Pettit & Biedrzycki
121 South Broad Street, Ste. 1600
Philadelphia, PA 19107
(215)546-0500 Telephone
(484)716-9170 Cell
(215)546-9444 Fax
ddoto@pp-b.com E-Mail

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at ddoto@pp-b.com and delete the message.